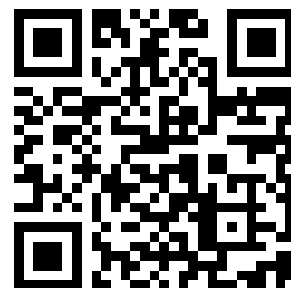

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Statutes at Large,

From the Thirteenth Year of the Reign of

KING GEORGE the **THIRD**

To the Sixteenth Year of the Reign of

KING GEORGE the **THIRD**, inclusive.

To which is prefixed,

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

With a **COPIOUS INDEX**.

VOLUME the **TWELFTH**.



L O N D O N :

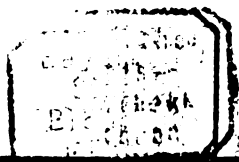
Printed by **CHARLES EYRE** and **WILLIAM STRAHAN**,
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T A B L E

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the sixteenth Year of the Reign of GEORGE III.

PUBLIC ACTS.

Anno 16 Georgii III.

1. 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 seventy-six.
2. An ACT for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
3. An ACT to enable his Majesty for a limited Time to call out and assemble the Militia in all Cases of Rebellion within this Realm of Great Britain, or any of the Dominions thereunto belonging; and to summon the Parliament in the Cases and Manner therein mentioned.
4. 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 seventy-six.
5. An ACT to prohibit all Trade and Intercourse with the Colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the Three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the Continuance of the present Rebellion within the said Colonies respectively; for repealing an Act, made in the fourteenth Year of the Reign of his present Majesty, to discontinue the Landing and discharging, Lading or Shipping, of Goods, Wares, and Merchandize, at the Town and within the Harbour of Boston, in the Province of Massachusetts Bay; and also two Acts, made in the last Session of Parliament, for restraining the Trade and Commerce of the Colonies in the said Acts respectively mentioned; and to enable any Person or Persons, appointed and authorized by his Majesty to grant Pardons, to issue Proclamations, in the Cases, and for the Purposes therein mentioned.
6. An ACT for giving a public Reward unto such Person or Persons, being his Majesty's Subject or Subjects, as shall discover a Northern Passage for Vessels by Sea, between the Atlantic and Pacific Oceans; and also unto such as

shall first approach by Sea within one Degree of the Northern Pole.

7. An ACT for the Regulation of his Majesty's Marine Forces while on Shore.
8. An ACT for making perpetual so much of an Act, made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his present Majesty, intituled, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time; and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time, as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland: And also another Act, made in the fifth Year of his present Majesty's Reign, intituled, An Act to permit the free Importation of Cattle from Ireland.*
9. An ACT for the better Relief and Employment of the Poor within the Hundred of Forehoe, in the County of Norfolk.
10. An ACT to enable his Majesty, to make Leases, Copies, and Grants of Offices, Lands, and Hereditaments, Parcel of the Dutchy of Cornwall, or annexed to the same; and for other Purposes therein mentioned.
11. An ACT to continue an Act made in the last Session of Parliament, intituled, *An Act to amend and render more effectual in his Majesty's Dominions in America 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; and for extending the Provisions of the said Act to his Majesty's Marine Forces in America.*
12. An ACT to continue, for a further Time, an Act, made in the Seventh Year of his present Majesty's Reign, intituled, *An Act to discontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs-lard, and Grease.*
13. An ACT for the better securing a Fund, belonging to certain

The TITLES of the STATUTES.

- certain Persons of the Theatre Royal in *Drury-lane*, applicable to charitable Uses; and for other Purposes therein mentioned.
14. An Act for rectifying Mistakes in the Names of several of the Commissioners appointed by an Act, made in the last Session of Parliament, to put in Execution an Act made in the same Session, 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 seventy-five*; 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 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 seventy-six.
 15. An Act for the better maintaining, regulating, and employing the Poor within the Parish of *Saint George*, in the County of *Middlesex*; and for cleansing and lighting the Squares, Streets, Lanes, Alleys, Courts, Yards, and other open Passages and Places; and for keeping and regulating a Nightly Watch within such Parts of the said Parish as are not within the Liberty of the Tower of *London*.
 16. An Act for enlarging the Term and Powers, granted by three Acts of Parliament, for laying a Duty of two Pennies Scots upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purposes in the said Acts mentioned.
 17. An Act for building a Bridge across the River *Severn* from *Benthall*, in the County of *Salop*, to the opposite Shore at *Madeley Wood*, in the said County; and for making proper Avenues or Roads to and from the same.
 18. An Act for enlarging the Term of Letters Patent granted by his present Majesty to *Elizabeth Taylor* of the Town of *Southampton*, Widow, for the sole Use and Exercise of certain Engines, Tools, Instruments, and other Apparatus, for making Blocks, Sheavers, and Pins, used in the Rigging of Ships.
 19. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thousand seven hundred and seventy-six.
 20. An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships, and other Trading Ships and Vessels.
 21. An Act to amend an Act, passed in the third Year of his late Majesty's Reign, intituled, *An Act for making navigable the River Stroudwater, in the County of Gloucester, from the River Severn, at or near Framiload, to Wallbridge, near the Town of Stroud, in the same County*; and for giving other Powers, for the Purpose of making a Navigation from *Framiload* to *Wallbridge* aforesaid.
 22. An Act for rebuilding the Parish Church of *Tardebigg*, in the Counties of *Worcester* and *Warwick*.
 23. An Act for the better Regulation and Government of the Pilots conducting Ships and Vessels into and out of the Port of *Boston*, in the County of *Lincoln*; and for affixing and setting down Mooring-posts upon the Banks of High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour; and for preventing Mischiefs by Fire in the said Haven and Harbour.
 24. An Act for vesting certain Estates, now held in Trust for the Benefit of the Royal Hospital for Seamen at *Greenwich*, in the Commissioners and Governors of the said Hospital, incorporated by his Majesty's Letters Patent.
 25. An Act for lighting and watching the Streets, Lanes, and other public Passages and Places, within the Borough of *Boston*, in the County of *Lincoln*; and for removing and preventing Nuisances, Annoyances, and Obstructions therein.
 26. An Act for lighting and watching the Villages of *Camberwell* and *Peckham*, in the County of *Surrey*, and certain Roads therein mentioned leading thereto; and for establishing a Foot Patrole between *Peckham* and *Blackman-street* in the Borough of *Southwark*.
 27. An Act for better cleansing, lighting, and watching the Streets, Lanes, and other public Passages, within the Borough of *Dorchester*, in the County of *Dorset*, and in the Tithing of *Colliton-row*, in the Town of *Dorchester* aforesaid; for paving the Footways and repairing certain Horseways of such Parts thereof as are Turnpike; and for paving the Footways and repairing the Horseways of such Parts thereof as are not Turnpike; for removing Nuisances, Annoyances, and Obstructions therein; and for preventing Houses or Buildings, hereafter to be erected in the said Borough and Tithing, from being thatched.
 28. An Act for making and maintaining a navigable Canal from or near the Town of *Stourbridge*, in the County of *Worcester*, to join the *Staffordshire* and *Worcestershire* Canal, at or near *Stourton*, in the County of *Stafford*; and also two collateral Cuts, one from a Place called *The Fens* upon *Penfuet-chace*, to communicate with the intended Canal near the Junction of *Wordesley brook* with the River *Stour*; and the other from a Place called *Black Delph*, upon the said Chace, to join the first-mentioned collateral Cut at or near certain Lands called *The Lays*, in the Parish of *Kingswinford*, in the said County of *Stafford*.
 29. An Act for vesting in *John Liardet*, Clerk, his Executors, Administrators, and Assigns, the sole Use and Property of a certain Composition or Cement of his Invention, throughout his Majesty's Kingdom of *Great Britain*, and in the Colonies and Plantations abroad, for a limited Time.
 30. An Act more effectually to prevent the stealing of Deer, and to repeal several former Statutes made for the like Purpose.
 31. An Act for securing a Fund belonging to certain Persons of the Theatre Royal, *Covent Garden*, applicable to charitable Uses; and for other Purposes.
 32. An Act to enable the Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, to make a navigable Canal from the said Navigation, on the South Side of *Harecastle*, in the County of *Stafford*, to *Frogball*, and a Rail-way from thence to or near *Caldon*, in the said County; and to make other Railways.
 33. An Act to remove the Danger of Fire amongst the Ships in the Port of *Bristol*, by preventing the landing certain Commodities on the present Quays; and for providing a convenient Quay and proper Places for landing and storing the same; and for regulating the said Quay, and the Lighters, Boats, and other Vessels carrying Goods for Hire within the said Port of *Bristol*; and for other Purposes therein mentioned.
 34. An Act for granting to his Majesty several Duties on Coaches, and other Carriages therein mentioned; and several Rates and Duties upon Indentures, Leaves, Bonds, and other Deeds; and upon Cards, Dice, and Newspapers; and for raising the Sum of Two millions by Annuities, and a Lottery to be attended with Annuities.
 35. An Act for raising a certain Sum of Money by Loans

The TITLES of the STATUTES.

- or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-six.
36. An Act for the Encouragement and Improvement of the Pilchard-fishery carried on within the Bay of *Saint Ives*, in the County of *Cornwall*.
37. An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*, and to the Island of *Saint Helena*, and to the other Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, and of Biscuit and Pease to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*; and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles.
38. An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.
39. An Act for repealing a Clause in an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Law now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*; which relates to the counterfinking of the Tire of the Wheels of all Waggon, Wains, and other Carriages, to be used on Turnpike Roads; and for explaining a Provision in the said Act, with respect to the Fellies and Tire of Carriages having the Fellies of the Wheels of the Gauge of six Inches or upwards.
40. An Act for obliging the Overseers of the Poor, within the several Parishes and Places within that Part of *Great Britain* called *England*, to make Returns, upon Oath, to certain Questions, specified in the Act, relative to the State of their Poor; and to authorise and require the Justices of the Peace, within their respective Divisions and Jurisdictions, in the several Counties and Cities in *England* and *Wales*, to take such Returns upon Oath, and to cause them to be transmitted to the Clerk of the Parliaments.
41. An Act for granting a Bounty upon Flax Seed, the Growth of the *United Provinces*, or of the *Austrian Netherlands*, imported into *Ireland*, for a limited Time.
42. An Act for allowing Corn, Grain, and Flour, imported into the Port of *Preston*, to be landed without Payment of the Duties, under the like Restrictions as Corn, Grain, and Flour is allowed to be landed at the several Ports mentioned in an Act, made in the Thirteenth Year of the Reign of his present Majesty, intituled, *An Act to regulate the Importation and Exportation of Corn*.
43. An Act to authorise, for a limited Time, the Punishment by Hard Labour of Offenders who, for certain Crimes, are or shall become liable to be transported to any of his Majesty's Colonies and Plantations.
44. An Act for suspending for a limited Time, so much of an Act, made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Law now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*, as is to subject Carriages having the Fellies of the Wheels thereof of less Breadth or Gauge than six Inches, to the Payment of Double Tolls; and for vacating Contracts for Leasing Tolls.
45. An Act for enabling his Majesty to raise the Sum of One million, for the Uses and Purposes therein mentioned.
46. An Act to enable the Commissioners of his Majesty's Treasury to order and allow, out of the Money arising by the Coinage Duty, a certain Sum therein mentioned,
- for the Expence of prosecuting Offenders against the Laws relating to the Coin, over and above the Sum yearly allowed for that Purpose.
47. An Act for the further Encouragement of the Whale Fishery carried on from *Great Britain* and *Ireland*, and the *British* Dominions in *Europe*; and for regulating the Fees to be taken by the Officers of the Customs in the Island of *Newfoundland*.
48. An Act for allowing further Time for the Exportation of, or Payment of the Duties upon, Bugles, when warehoused upon Importation into this Kingdom; to empower the Commissioners of the Customs to order all Bonds relative to that Revenue, upon which no Prosecutions have been had for the Space of five Years, (except Bonds for Duties, and for the good Behaviour of Officers in the Execution of their Duty) to be destroyed; and for repealing the Duties upon Feather Beds imported into this Kingdom; and for charging the same with the like Duties as are payable upon Feathers for Beds.
49. An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-six; and for further appropriating the Supplies granted in this Session of Parliament; for giving further Relief to the Widows of Commission and Warrant Officers of the Royal Navy; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders, lost, burnt, or destroyed.
50. An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers; in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid, and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.
51. An Act for granting further Time for allowing the Drawback upon the Exportation of Muslins and Callicoes, imported by the *East India* Company in the Years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four; for allowing further Time to the said Company to expose to Sale such Bohea and Singlo Teas and Coffee as remained unsold on the fifth Day of *April*, one thousand seven hundred and seventy-six; and also such Bohea Teas as shall be imported on or before a certain Time; and for allowing the Drawbacks on the Exportation of such Teas and Coffee; and for granting further Time for allowing the Drawback on the Exportation of Coffee imported in the Ship *Shrewsbury*, in the Year one thousand seven hundred and seventy-three.
52. An Act to declare his Majesty's natural-born Subjects inheritable to the Estates of their Ancestors, whether Lineal or Collateral, in that Part of *Great Britain* called *Scotland*, notwithstanding their Father or Mother were Aliens.
53. An Act to continue the Corporation of the Guardians of the Poor within the *Isle of Wight*, and to confirm the Powers and Authorities now vested in the said Corporation, and to provide new Powers and Regulations for the Members of the same; and to repeal an Act, passed in the eleventh Year of the Reign of his present Majesty, intituled,

The TITLES of the STATUTES.

- intituled, *An Act for establishing a House or Houses of Industry in the Isle of Wight, for the Reception, Maintenance, and Employment of the Poor belonging to the several Parishes and Places within the said Island.*
54. An Act to continue an Act, made in the fifth Year of the Reign of his late Majesty King George the Second (intituled, *An Act to prevent the committing of Frauds by Bankrupts*); and also an Act, made in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to prohibit the Importation of light Silver Coin of this Realm from Foreign Countries into Great Britain or Ireland, and to restrain the Tender thereof beyond a certain Sum*).
55. An Act to enable the Trustees of certain Charity Lands belonging to the Poor of *Salford*, in the County Palatine of *Lancaster*, to grant Building Leases thereof.
56. An Act for supplying the Borough and Town of *Brecknock*, and Liberties thereof, with Water; and for paving, cleansing, regulating, and lighting, the Streets, Lanes, and public Passages there; and for widening and making commodious some of the said Streets, Lanes, and Passages.
57. An Act for paving, cleansing, lighting, and watching, the Borough and Town of *Weymouth* and *Melcombe Regis*, in the County of *Dorset*; and for removing all Encroachments, Obstructions, and Annoyances therein.
58. An Act to explain and amend an Act made in the twelfth Year of his present Majesty, for paving, cleansing, lighting, and watching, the Streets and Lanes in the Town and Parish of *Chatham*, in the County of *Kent*; and for removing and preventing Nuisances and Annoyances therein; and to extend the Provisions of the said Act to such Parts of the *High-street* in *Chatham*, as are situate in the Parishes of *Saint Margaret* and *Gillingham*, and to other Places adjoining or contiguous to the said Town.
59. An Act for lighting and watching the Town of *Portsmouth* in the County of *Southampton*; and for explaining and amending an Act, passed in the eighth Year of his present Majesty's Reign, for the better paving and cleansing the Streets and other public Passages in the said Town, and for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious.
60. An Act to amend and render more effectual an Act, made in the eighth Year of the Reign of his present Majesty, for opening certain Passages, and for paving the Streets, and other Places, in the Parish of *Saint Leonard*, *Shoreditch*, in the County of *Middlesex*, and for preventing Annoyances therein; and for extending the Powers of the said Act to such Part of a Lane, called *Hog-lane*, as lies within the Liberty of *Norton-Falgate*, in the said County.
61. An Act for erecting a Lighthouse or Lighthouses and Landmarks in or near the Port of *Chester*, and for placing Buoys upon the Banks and Shoals leading into and in the said Port; and for regulating of Pilots and persons towing or tracking of Vessels to and from the City of *Chester*; and for fixing the Rates payable for the same respectively.
62. An Act to enable the Commissioners of Sewers for several Limits in the Eastern Parts of the County of *Kent*, more effectually to drain and improve the Lands and Grounds within the *General Vallies*.
63. An Act for widening and improving several Streets in the Town of *Manchester*; and for opening new Streets or Passages within the said Town.
64. An Act for draining, embanking, and preserving, certain Fen Lands and Low Grounds called *The Parts* and *Alderlots*, in the Parishes of *Glatton* and *Holme*, in the County of *Huntingdon*.
65. An Act for making the River *Soar* navigable, from the River *Trent* to *Bishop's Meadow*, within the Liberty of *Garenton*, in the County of *Leicester*; and for making and maintaining a navigable Cut or Canal from thence, near, or up, and into *The Kusbcs*, at *Loughborough*, in the said County.
66. An Act for making and maintaining a navigable Canal, within and from certain Lands, belonging to *Thomas Talbot Foley*, Esquire, in the Parish of *Dudley*, in the County of *Worcester*, to join and communicate with the *Stourbridge* Navigation, at a Place called *Black Delph*, upon *Pensnet-chase*, in the Parish of *Kingswinford*, in the County of *Stafford*.
67. An Act for enlarging the Term and Powers of so much of an Act, made in the twenty-ninth Year of the Reign of his Majesty King George the Second, intituled, *An Act for repairing and widening the High Roads from Basingstoke through Popham-lane, Sutton, Scotney, and Stockbridge, in the County of Southampton, to a Place called Lobcomb-corner in the County of Wilts*; and also for repairing and widening the Road from *Spittlehouse* over *Weyhill* to *Mullen's Pond*, in the said County of *Southampton*; as relates to the Roads from *Basingstoke* to *Lobcomb-corner* in the County of *Wilts*.
68. An Act to enlarge the Term and Powers of an Act, passed in the twenty-second Year of the Reign of his late Majesty, intituled, *An Act for repairing the Road from the West Cowgate, near the Town of Newcastle upon Tyne, through the West End of Kenton, Pont Eland, Higham Dykes, Newham Edge, Bellay Mill, and South Middleton, to the North Side of the River Wanpeck, in the County of Northumberland*.
69. An Act for continuing the Term and varying the Powers of two Acts, passed in the third and seventeenth Years of his late Majesty King George the Second, for repairing the Road from that Part of *Chatham* which lies next to the City of *Rocheſter*, to *Saint Dunstan's Cross* near the City of *Canterbury*, in the County of *Kent*; and for amending and widening the Road from the present Turnpike Road at or near a Place called *Makenade-corner*, in the Parish of *Preston*, to *Bagham-cross* and *Sbalmſford-lane-end*, in the Parish of *Chatham*, in the said County.
70. An Act for continuing the Term and enlarging the Powers of an Act, made in the twenty-eighth Year of the Reign of his late Majesty, for widening and repairing the Road leading from *Horsſham*, in the County of *Suffex*, through *Capel*, *Dorking*, *Mickleham*, and *Leatherhead*, to the *Watch-house* in *Ebbiſham*, in the County of *Surrey*; and from *Capel* to *Stone-street*, in the Parish of *Ockley*, in the said County of *Surrey*.
71. An Act for amending and keeping in Repair the Road from *Doncaſter* to the Turnpike-road which leads from *Bawtry* to *Retford* in the Counties of *York* and *Nottingham*.
72. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his Majesty King George the Second, intituled, *An Act for repairing and widening the Roads leading from the East Side of Lincoln-heath, to the City of Peterborough; and from the East End of Marham-lane, to the Town of Walton, in the County of Northampton; and from the Town of Bourn, to the Town of Coliterworth; and from Dunnington High Bridge, to the Cross-poſt, in the Parish of Hacconby; and from the East End of a Lane called Haledrove, to and through the Town of Old Sleaford, to the*

The TITLES of the STATUTES.

- End of Long-hedge, in the Parish of Quarrington, in the County of Lincoln.*
73. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his Majesty King George the Second, intituled, *An Act for repairing and widening the Road from the White Stoop near the North End of the Town of Derby, through the Towns of Duffield and Chesterfield, in the County of Derby, to the Town of Sheffield, in the County of York; and from the said Town of Duffield to the Moot Hall in the Town of Wirksworth, in the said County of Derby.*
74. An Act for enlarging the Term and Powers of two Acts, made in the twenty-second and twenty-ninth Years of the Reign of King George the Second, for repairing the Road from Wansford-bridge, in the County of Northampton, to the Town and Borough of Stamford, in the County of Lincoln, and from Stamford to Bourn in the said County; and for repairing and widening the Road from the North End of the Bridge, to a Gate called *Scotgate* in Stamford, and from the Termination of the Turnpike-road in the Parish of Bourn, to the Market-crofs in Bourn.
75. An Act for repairing and widening the Road from the Market-crofs in the Township of Clithero, to Salford-bridge in the Town of Blackburn, in the County Palatine of Lancaster.
76. An Act to continue and render more effectual several Acts of Parliament for repairing the Highways leading to Highgate-gatehouse and Hampstead, and other Roads in the said Acts mentioned, in the County of Middlesex; and also to continue and render more effectual, *An Act to enable the respective Trustees of the Turnpike-roads leading to Highgate-gatehouse and Hampstead, and from Saint Giles's pound to Kilbourne, to make a New Road from the Great Northern Road at Ilington to the Edgware Road near Paddington, so far as the same is by the said Act directed to be under the Care and Management of the Trustees of the said first mentioned Acts; and for making a Road from the said new Road, near Queen's row, to Bagnigge-wash, and for watching, lighting, and watering the said Roads.*
77. An Act to enlarge the Term and Powers of an Act, passed in the twenty-fourth Year of the Reign of his Majesty King George the Second, for repairing the Road leading from the Town of Ludlow, in the County of Salop, through Woofferton and Little Hereford, to a Place called Monk's-bridge, in the said County; and also from the said Town of Ludlow to a Place or House called The Maidenhead at Orleton, in the County of Hereford.
78. An Act for continuing the Term, and altering, explaining, and enlarging the Powers of an Act of the twenty-sixth of King George the Second, for repairing and widening several Roads therein mentioned in the County of Worcester, and for repealing so much of an Act of the seventh Year of his present Majesty, as relates to the Road from Knightsford-bridge to a certain House at Red Marley, in the Parish of Great Witley, in the said County, and for putting the same under the Management of the Trustees for executing the said first mentioned Act; and for amending other Roads therein mentioned.
79. An Act for continuing and enlarging the Terms and Powers of two several Acts of Parliament respecting roads near the Borough of Ashburton, in the County of Devon.
80. An Act to enlarge the Term and Powers of an Act, passed in the fifth Year of his present Majesty's Reign, for repairing and widening the Road from the Great Bridge in the Borough of Warwick, through Southam and Daventry, to the Town of Northampton.

81. An Act to enlarge the Term and Powers of an Act, passed in the twenty-seventh Year of the Reign of his late Majesty King George the Second, intituled, *An Act for repairing and widening the Road from Leicester to Narborough, and from Leicester to Coventry, and from thence through Kenilworth to Warwick, and from thence to Halford Bridge, and from Warwick to Stratford upon Avon, and from Coventry to Martyn's Gutter leading towards Stoneleigh Town; and for supplying an Omission in an Act, passed in the last Session of Parliament, for repairing the Road from Leicester to Ashby-de-la-Zouch, in the County of Leicester; so far as the same relates to the Road from Coventry, through Kenilworth to Warwick, and from the said City of Coventry to Martyn's Gutter.*
82. An Act to enlarge the Term and Powers of an Act, passed in the twenty-fourth Year of the Reign of his Majesty King George the Second, so far as relates to repairing the Road from Tadcaster to Halton-dyal, in the West Riding of the County of York.
83. An Act for repairing, widening, and altering the Road from the Termination of the present Turnpike Road at Elsdon High-crofs, near the Town of Elsdon, in the County of Northumberland, on the North-east Side of the River Reed, through Overacres, Elshaw, and Catcleugh, to the Red Swyre upon the Mid Border betwixt England and Scotland.

PRIVATE ACTS.

Anno 16 Georgii III.

1. AN Act for naturalizing Frederick Melling and John George Bindbeisen.
2. An Act for naturalizing Peter Henry Baemann.
3. An Act to enable the Right Honourable Robert Craggs Lord Viscount Clare, and the Right Honourable Wellbore Ellis, to take, in Great Britain, the Oath of Office as Vice-Treasurer, and Receiver-general, and Paymaster-general, of all his Majesty's Revenues in the Kingdom of Ireland, and to qualify themselves for the Enjoyment of the said Offices.
4. An Act for naturalizing John Martin Fusts.
5. An Act for naturalizing Francis Anthony Rougemont.
6. An Act for naturalizing Anthony Ten Broeke.
7. An Act for dividing and inclosing certain Commons, or Pieces of Waste Ground in the Parishes of Bonjall, Wirksworth, and Matlock, in the County of Derby.
8. An Act for naturalizing Nis Nissen and Christopher Gabriel Marwæde.
9. An Act for naturalizing John William Paul and Claes Grill.
10. An Act for naturalizing Charles Quist.
11. An Act for vesting certain Messuages, Lands, and Hereditaments, in the several Counties of Durham, Middlesex, Berks. and Sussex, and in the City of London (Part of the Freehold and Copyhold Estates devised by the Will of George Bowes Esquire, deceased), in Trustees, to be sold or exchanged, and for laying out the Money to arise thereby in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be settled to the same Uses.
12. An Act for vesting the Advowson of the Rectory of Pewsey in the County of Wilts (Part of the Estate comprized in the Marriage Settlement of Stephen late Lord Holland, deceased) in Trustees and their Heirs, in Trust, to be sold, and for laying out the Money to arise thereby in finishing and compleating a Mansion-house at Winterstow, in the same County.
13. An Act for vesting certain Leasehold Pieces of Ground, in the Parish of Saint George, Hanover Square, in the County

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- County of *Middlesex*, together with a Capital Messuage built on Part thereof, devised by the Will of Sir *John Hales* Baronet, deceased, in Trustees, in Trust, to assign the same to *Henry Herbert* Esquire, pursuant to an Agreement for that Purpose, and for applying the Consideration-money in such Manner as in the Act is mentioned.
14. An Act to subject and charge the Prebend of *Marston Saint Lawrence*, in the County of *Northampton*, and the Lands, Tenements, and Hereditaments thereunto belonging, to and with the Payment of two several perpetual yearly Rent Charges to Doctor *Everard Buckworth*, and his Successors in the said Prebend; and for divesting the Fee-simple and Inheritance thereof out of him and his Successors, and for vesting the same, so charged, in *John Blencowe* Esquire, his Heirs and Assigns.
 15. An Act for dividing and inclosing the Open Fields, Meadow, Pasture, and other Commonable and Waste Grounds, within the Liberties of *Gunby* and *North Witham*, in the County of *Lincoln*.
 16. An Act for exchanging certain Lands, in the Parish and Liberties of *Spaldwicke* with *Uptrope*, for other Lands, in the Parish of *Long Stow*, in the County of *Huntingdon*, in the Manner, and for the Purposes therein mentioned.
 17. An Act for dividing and inclosing certain Open Common Fields, Ings, Common Pastures, and other Commonable Lands, within the Townships of *Asterby* and *Goulceby*, in the County of *Lincoln*.
 18. An Act for dividing and inclosing the Open and Common Fields, and also a certain Parcel or Tract of Common and Waste Land called *The Link*, and other Common and Waste Land, within the Manor and Parish of *Leigh*, otherwise *Ley*, in the County of *Worcester*.
 19. An Act for dividing and inclosing the Open and Common Fields, Meadows, Pastures, Heath, and Waste Grounds, within the Parish of *Duston*, in the County of *Northampton*.
 20. An Act for dividing and inclosing certain Open and Common Fields, Common Meadows, Commonable Pastures, Common Grounds, and Commonable Lands, within the Parish of *Liddington* and Hamlet of *Medbourn*, in the said Parish of *Liddington*, in the County of *Wilts*.
 21. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and Commonable Lands, within the Township, Hamlet, Precincts, or Liberties of *Blackthorn*, in the Parish of *Ambrosden*, in the County of *Oxford*.
 22. An Act for dividing and inclosing the Open and Common Fields, in the Parish of *Desborough*, in the County of *Northampton*.
 23. An Act for dividing and inclosing certain Open Common Fields, Meadows, Pastures, Ings, and other Commonable Lands and Waste Grounds, within the Parish of *Raithby*, near *Spilsby*, in the County of *Lincoln*.
 24. An Act for dividing and inclosing the several Commons and Waste Grounds, within the Manor of *Rushon Spencer*, in the Parish of *Leek*, in the County of *Stafford*.
 25. An Act for dividing and inclosing the Open Fields, Meadows, Pastures, and Commonable Grounds, within the Township or Liberty of *Sutton Saint Michael's*, otherwise *Sutton Bonington*, commonly called *Bonington End*, in the County of *Nottingham*.
 26. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, Commons, and Waste Grounds, within the Parish of *Odel*, in the County of *Bedford*.
 27. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands and Grounds, lying within the Parish and Liberties of *Warmington*, in the County of *Warwick*.
 28. An Act for dividing and inclosing the Common or Waste Ground, called *Boreham Wood Common*, in the Parish of *Elstree*, otherwise *Idlestree*, in the County of *Hertford*.
 29. An Act for dividing and inclosing the Open Fields, Meadows, Commons, and Waste Grounds, in the Parish of *Beckingham*, in the County of *Nottingham*.
 30. An Act for enabling the Honourable *George Hobart* to inclose the Heath Lands, Field Lands, and Low Commons, or Fen Grounds, in the Parish of *Nelson*, in the County of *Lincoln*; and for vesting the Glebe Lands, Vicarial Tithes, and Right of Common, belonging to the Vicarage of *Nelson* aforesaid, in the said *George Hobart*, and for making a Compensation to the Vicar of the said Parish in lieu thereof.
 31. An Act for dividing and inclosing the Open Fields, Meadows, Commons, and Waste Grounds, in the Parish of *Upton*, in the County of *Lincoln*.
 32. An Act for dividing and inclosing the several Commons and Waste Grounds, within the Manor of *Lea*, in the Parishes of *Ashover*, *Crich*, and *Southwinfield*, in the County of *Derby*.
 33. An Act for dividing, allotting, and inclosing certain Commons and Waste Lands, called *Ashwood Hay* and *Wall Heath*, and several other Parcels of Waste Lands and Commonable Pieces, Part and Parcel of *Ashwood Hay*, situate within the Manor and Parish of *Kingswinford*, in the County of *Stafford*.
 34. An Act for extinguishing the Right of Soil and Right of Common upon certain Pieces or Parcels of Common or Waste Land, in the Manor and Parish of *Clewer*, in the County of *Berks*; and for vesting the same in his Royal Highness the Duke of *Gloucester*, his Heirs and Assigns, upon the Conditions therein mentioned.
 35. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Pastures, and Commonable and Waste Lands, within the Manor and Parish of *Dorington*, in the County of *Gloucester*.
 36. An Act for dividing and inclosing the Commons or Waste Grounds, within the Vill, Hamlet, or Township of *Little Harwood*, in the Parish of *Blackburn*, and County of *Lancaster*.
 37. An Act for dividing and inclosing the Open and Common Field, and other Commonable Lands and Grounds, lying within the Parish and Liberties of *Alkerton*, in the County of *Oxford*.
 38. An Act to enable *Francis Ferrand Moore* Esquire, now called *Francis Ferrand Foljambe*, and his Heirs Male, to take and use the Surname and Arms of *Foljambe*, pursuant to the Wills of *Francis Foljambe* and *Thomas Foljambe*, Esquires, deceased.
 39. An Act to enable *Edward John Andrews Crockayne*, and his Issue, to take and use the Surname and Arms of *Friith* only, pursuant to the Will of *Neighbour Friith* Esquire, deceased.
 40. An Act for naturalizing *Charles Godfrey Wolff* and *John Adam Hecker*.
 41. An Act for naturalizing *John Liardet*.
 42. An Act for naturalizing *Levis Vialletes Basside*.
 43. An Act for naturalizing *John Hoffman*.
 44. An Act for vesting several detached Parts of the settled Estates of Sir *James Ibbetson* Baronet, in Trustees, to be sold, and for the Application of the Money to arise by such Sale, and other Purposes therein mentioned.
 45. An Act for empowering *Richard Hare* Esquire, the surviving Trustee named in the Will of *Mary Arnold*,
his

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- his Heirs, Executors, Administrators, or Assigns, to make Sale of a certain Copyhold Messuage or Tenement at *Hampstead*, in the County of *Middlesex*, with the Appurtenances, and the Household Goods and Furniture thereunto belonging, vested in him by the said Will, upon certain Truists therein expressed; and to invest the Money, to arise by such Sale, in the Purchase of Lands or Tenements, to be settled in like Manner.
46. An Act for dividing and inclosing the Open and Common Fields, in the Parishes and Liberties of *Hartwell* and *Stone*, in the County of *Bucks*.
47. An Act for ascertaining the landed Property as well of the Reverend the Dean and Chapter of the Cathedral Church of *Christ* and the *Blessed Mary the Virgin* at *Worcester*, as of others, situate in the Hamlet of *Charlton*, in the Parish of *Croftborn*, in the County of *Worcester*; and for dividing and inclosing the Open Common Fields, and other Commonable Land, within the same Hamlet.
48. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, in the Hamlets of *Barton* and *Martleeve*, in the Parish of *Bidford*, and County of *Warwick*.
49. An Act for dividing and inclosing the Open and Common Fields, and all other Commonable Land within the Parish of *Great and Little Hampton*, in the County of *Worcester*.
50. An Act for dividing, allotting, and inclosing, the Common Fields, Common Meadows, and other Commonable Lands, in the Manor and Parish of *North Hinksey*, otherwise *Ferry Hinksey*, in the County of *Berks*.
51. An Act for dividing and inclosing a certain Common and Waste Grounds, within the Parish of *Brougham*, in the County of *Westmoreland*.
52. An Act for dividing and inclosing the Open and Common Fields and Commonable Grounds, within the Parish of *Bruntingthorpe*, in the County of *Leicester*.
53. An Act for dividing, apportioning, and inclosing the Open and Common Fields, Commonable Lands, and Waste Grounds, within the Manor and Parish of *Nettleham*, in the County of *Lincoln*.
54. An Act for vesting Part of the Estates devised by the Will of *Sarah Owen*, Spinster, deceased, in the Counties of *Salop* and *Montgomery*, in Trustees, to be sold; and for laying out the Money arising by such Sale, in the Purchase of other Messuages, Lands, and Hereditaments, to be settled, in Lieu thereof, to the like Uses.
55. An Act for discharging Part of the Estate of *Nicholas Wrigglesworth*, and *Ayscoghe Wrigglesworth*, his eldest Son, from the Payment of a yearly Sum of thirty-five Pounds, given by Sir *Edward Barkham*, long since deceased, to charitable Uses, and of and from other Incumbrances; and for charging the same respectively upon a competent Part of the Estates of the said *Nicholas Wrigglesworth* and his Son; and for vesting the Residue thereof in Trustees, to be sold, for the Payment of Debts, and other the Purposes therein mentioned.
56. An Act for settling certain Messuages, Lands, and Hereditaments, in the Parishes of *Saint Mary le Bone* and *Saint Pancras*, or one of them, in the County of *Middlesex*, to the Uses agreed to be thereof limited, in the Settlement made on the Marriage of *Jacob Hinde*, Esquire, with *Anne Trayer*, now *Anne Hinde*, his Wife, with Power to make such Leases thereof as in the said Act are mentioned.
57. An Act for vesting a Leasehold Messuage, in *Grosvenor-square*, in the Parish of *Saint George Hanover-square*, in the County of *Middlesex*, bequeathed by the Will of *Edward Rudge* Esquire, deceased, in Trustees, to be sold, and other the Purposes therein mentioned.
58. An Act to enable *William Clayton* Esquire, during his Life, and the Guardians of his Infant Children after his Decease, to make building and improving Leases of certain Lands and Premises, Part of the Manor of *Kennington*, in the County of *Surrey*, held by Letters Patent from his Majesty, as Part of the Dutchy of *Cornwall*; and to raise Money for Payment of the Fines and Expences of renewing the said Letters Patent, and for defraying the Expences to attend the granting such building and improving Leases.
59. An Act for vesting Part of the settled Estates of *John Neunham* Esquire, in the Counties of *Huntingdon*, *Middlesex*, and *Suffex*, and in the Cities of *London* and *Canterbury*, in Trustees, to be sold; and for purchasing other Estates, in Lieu thereof, to be settled to the same Uses.
60. An Act to discharge certain Lands, heretofore Part of the Estate and Inheritance of *Thomas Eyre* Esquire, deceased, situate within the Lordship of *High Peak*, in the County of *Derby*, from the Payment of a certain Fee Farm Rent of one hundred Pounds a Year; and for securing the same on other Parts of the said Estate.
61. An Act for enabling the Trustees named in the Will of *William Sterne* deceased, to sell and convey a Leasehold Estate, vested in them by the said Will, upon certain Trusts therein mentioned, to *George Hodgkinson* Esquire, pursuant to Articles; and to lay out the Money arising by such Sale in the Purchase of other Lands or Hereditaments, to be settled to the like Uses.
62. An Act for enabling *Christopher Sykes* Esquire, to raise Money by Way of Charge or Mortgage upon divers Lands and Grounds, in the Parish of *Sledmere*, in the County of *York*, Part of the settled Estates of the said *Christopher Sykes*, on the Improvement intended to be made by him thereof; and for limiting a Rent Charge thereout to *Elizabeth Sykes* his Wife, in Lieu of her Life Estate in Part of the same Lands and Grounds, and for other Purposes therein mentioned.
63. An Act for dividing, allotting, and inclosing, the Open Undivided Common Fields and Common Pastures, within the several Townships of *Stonegrave*, *Westness*, and *Nunnington*, in the North Riding of the County of *York*.
64. An Act for dividing and inclosing a Common, or Moor, called *Wooller Common*, in the Parish of *Wooller*, in the County of *Northumberland*.
65. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands and Grounds, in the Parish of *Ickleford*, in the County of *Hertford*.
66. An Act for dividing, inclosing, and improving, the Waste and Common Grounds in the Township of *Stainburne*, in the Parish of *Kirkby Overblow*, in the County of *York*.
67. An Act for dividing and inclosing the Open Arable Fields, Meadows, and Pastures, within the Township of *Sutton upon Derwent*, in the East Riding of the County of *York*.
68. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Parish of *Walgrave*, in the County of *Northampton*.
69. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, of and within the Parish and Liberties of *Yelvertoft*, in the County of *Northampton*.
70. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, within the Parish and Liberties of *Clipston* and *Newbold*, otherwise *Nobald*, in the County of *Northampton*.

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71. An Act for dividing and inclosing certain Open Fields, Meadows, Stinted Common Pastures, Free Commons, and Waste Grounds, within the Townships of *Clarebrough* and *Welham*, in the Parish of *Clarebrough*, in the County of *Nottingham*.
72. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, within the Parish and Liberties of *Great Bowden*, in the County of *Leicester*.
73. An Act for dividing and inclosing certain Open and Uncultivated Lands and Tracts of Waste Ground, called *Crowcombe*, *Heathfield*, and *Heddon*, and Parcel of *Quantock Hills*, within the Parish of *Crowcombe*, in the County of *Somerset*.
74. An Act for dividing and inclosing several Open Common Fields, Woods, and Average Grounds, Ings, Marshes, Carrs, Commons, and other Waste Lands and Grounds, within the several Manors and Parishes of *Cawood* and *Wistow*, in the County of *York*.
75. An Act for dividing and inclosing certain Open Fields, Lands, and Grounds, within the Lordships and Parish of *South* and *North Killingholme*, in the County of *Lincoln*.
76. An Act for dividing, allotting, and inclosing, of the Common Fields, Half-year Inclosures, Heaths, Brooms, Breaches, Commons, and Waste Lands, within the Parish of *Coney Weston*, in the County of *Suffolk*.
77. An Act for dividing and inclosing the Open or Common Fields, Common Moors, Common Meadows, Common Pastures, and other Commonable Lands, within the Parish of *Ipton*, in the County of *Monmouth*.
78. An Act for dividing and inclosing the Common Arable Fields, Common Meadows, Common Pastures, Moors, Commons, and Waste Grounds, in the Manor of *Mulgrave*, within the Parish of *Lyth*, in the North Riding of the County of *York*.
79. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Parish of *Tardley Hastings*, in the County of *Northampton*.
80. An Act for dividing and inclosing the Common Arable Fields, Commons, and Waste Grounds, within the Manor and Township of *Amotherby*, in the Parish of *Appleton in the Street*, in the North Riding of the County of *York*.
81. An Act for dividing and inclosing the several Open and Common Fields, Common Heath, Common Pasture, and Waste Grounds, within the Manor and Parish of *Welby*, in the County of *Lincoln*.
82. An Act for dividing, allotting, and inclosing, a certain Common or Uninclosed Piece or Parcel of Commonable Land or Ground, within the Manor or Parish of *West Horndon*, in the County of *Essex*.
83. An Act to confirm and establish the Division and Inclosure of an Open Arable Field, in the Parish of *Screveton*, in the County of *Nottingham*; and also several Exchanges of Lands within the said Parish.
84. An Act to dissolve the Marriage of *John Elliot* Doctor in Physic, with *Grace Dalrymple* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
85. An Act to dissolve the Marriage of *Charles Horneck* Esquire, with *Sarah Keppel* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
86. An Act to dissolve the Marriage of *Thomas Williams* with *Ann Lantware* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
87. An Act to amend an Act, made and passed in the fourteenth Year of his present Majesty's Reign, intituled, *An Act to enable John Medows the elder, Gentleman, and his Issue Male, to take the Surname and Arms of Theobald, pursuant to the Will of Elizabeth Theobald Widow, deceased*; and also to enable *John Medows, eldest Son of the said John Medows (now John Theobald)*, and the Heirs of his Body, to take the said Surname, and bear the said Arms of *Theobald*.
88. An Act for naturalizing *Henry Lawrence Zinck*.
89. An Act for naturalizing *John Alexander De Morfier*.
90. An Act for naturalizing *Engelbert Mulhausen*.
91. An Act for naturalizing *Marie Magdelaine Chevalier*.
92. An Act for vesting in Trustees the settled Estate of the Most Noble *Peregrine Duke of Ancaster and Kesteven*, in the County of *York*, to discharge Incumbrances affecting the same, and other Part of the said settled Estates; and for purchasing of Estates, to be settled to the several Uses therein mentioned.
93. An Act for vesting the Free School-house, Dwelling-house for the Master and Usher, Close, and other Premises thereto belonging, in *Courtenhall*, in the County of *Northampton*, in Sir *William Wake* Baronet, and his Heirs, upon the Conditions therein mentioned.
94. An Act for the Sale of the Estates of Sir *Charles Whitworth*, in the County of *Somerset*; and for exonerating the same, and his Estates in the County of *Kent*, from the Portions of his younger Children, provided by his Marriage Settlement.
95. An Act to enable *William Masterman* and *Thomas Francis*, Esquires, to make a Title to certain Leasehold and Copyhold Estates of *Thomas Nuthall* Esquire, deceased.
96. An Act for Sale of Part of the Estates late of *John Leigh* Esquire, deceased, for Payment of Mortgages, and other Debts, to which the said Estates are liable; and for other Purposes therein mentioned.
97. An Act for vesting the settled Estates of *Robert Dolman* Esquire, and *Robert Dolman* the younger, in *Pocklington* and elsewhere, in the County of *York*, in Trustees, to be sold; and for laying out the Money arising by such Sale in the Purchase of other Lands and Hereditaments, to be settled, in Lieu thereof, to the same Uses.
98. An Act for vesting an Estate in the County of *Middlesex*, which was settled by *Richard Onslow* Esquire, deceased, on his Marriage with *Poolley Walton*, in Trustees, in order that the same may be conveyed to *Matthew Winter* and his Heirs, pursuant to an Agreement made by him for the Purchase thereof; and for investing the Purchase-money in Three per Centum Consolidated Bank Annuities; and for other Purposes therein mentioned.
99. An Act for confirming the Settlements made by *Charles Vere Dashwood* Esquire, in Satisfaction of certain Articles entered into by him previous to his Marriage, and during his Infancy; and for other Purposes therein mentioned.
100. An Act for vesting the settled Estates of *William Upfold*, Gentleman, in the County of *Middlesex*, and City of *London*, in Trustees, to be sold; and for purchasing other Lands and Hereditaments, to be settled to the same Uses.
101. An Act for vesting Two-sixth Parts of the Estates late of *Stanhope Mason* Gentleman, deceased, in *England* and *Ireland*, in Trustees, to be sold; and for purchasing other Estates, to be settled in Lieu thereof.
102. An Act for vesting several Estates late of *Samuel Shephard* of *Exning*, in the County of *Suffolk*, Esquire, deceased, in Trustees, to be sold; and for purchasing other Estates, to be conveyed to the like Uses; and for other Purposes therein mentioned.
103. An Act for dividing and allotting certain Open and Common

The TITLES of the STATUTES.

- Common Fields, Downs, and Commonable Grounds, in the Tithings or Liberties of *Eastbury*, otherwise *Isbury*, and *Blagrove*, in the Parish of *Chipping Lamborne*, in the County of *Berks*
104. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, of and within the Parish and Liberties of *Crick*, in the County of *Northampton*.
105. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and in *Over Weedon Beck* and *Nether Weedon Beck*, within the Parish and Liberties of *Weedon Beck*, in the County of *Northampton*.
106. An Act for dividing and inclosing certain Open Common Fields, Stinted Pastures, and Common Moors or Waste Grounds, within the Manor and Parish of *Corbridge*, in the County of *Northumberland*.
107. An Act for dividing and inclosing the Open Arable Fields, Meadows, Pastures, Carrs, and other Open Lands and Grounds, within the Township of *Foston*, in the East Riding of the County of *York*.
108. An Act for dividing and inclosing the several Open Fields, Common Pastures, Common and other Waste Lands and Grounds, within the Township of *Bilton*, in the County of *York*.
109. An Act to dissolve the Marriage of Sir *Thomas Charles Bunbury* Baronet, with the Right Honourable Lady *Sarah Lenox* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
110. An Act for revesting Part of the Real and Personal Estates of the Most Noble *George Duke of Saint Albans* in him, and for other Purposes therein mentioned.
111. An Act for vesting the Real Estates comprised in the Marriage Settlement of *Thomas Lord Montfort*, situate in the Counties of *Cambridge* and *Suffolk*, and the Woods, Underwoods, Timber, and other Trees, growing and being thereon, in Trustees and their Heirs, in Trust, to be sold and disposed of in Manner therein mentioned; and for applying the Monies to arise by Sale thereof in the Manner therein also mentioned.
112. An Act for the Sale of a Leasehold Estate, late belonging to Sir *John Abdy* Baronet, deceased, at *Bishop's Canning*, in the County of *Wilts*, and of Timber Trees growing on his Estates in the County of *Essex*, and also of his Medals and Coins, for paying off and discharging certain Incumbrances affecting his Real Estates in *Essex*; and for laying out the Residue of the Monies arising by such Sale in the Purchase of Lands, to be settled to the same Uses as his Estates in *Essex* now stand settled by his Will.
113. An Act for applying the Money to arise by Sale of certain Messuages, situate in *Cheapside*, in the City of *London*, devised by the Will of *Edmund Estcourt* Esquire, deceased, to Trustees, to be sold, in the building a Mansion-house upon the settled Estates late of the said *Edmund Estcourt*, at *Shipton Moyne* and *Dovel*, in the County of *Gloucester*, together with the Materials of the ancient Mansion-house now standing thereon.
114. An Act for vesting the settled Estates of *Peter John Heywood* Esquire, in the *Ile of Man*, called *The Nunnery*, in Trustees, to be sold; and for laying out the Money arising by such Sale in the Purchase of Lands and Hereditaments, in that Part of *Great Britain* called *England*, to be settled in Lieu of the said Estates in the *Ile of Man*, intended to be sold.
115. An Act for vesting certain Manors, Messuages, Lands, and Hereditaments, in the several Counties of *Middlesex*, *Surrey*, *Southampton*, and *Norfolk*, the Freehold, Copyhold, and Leasehold Estates, late of *John Albert Bentinck* Esquire, deceased, in Trustees in Trust, to sell, mortgage, or exchange, any Part or Parts thereof; and for applying the Money to arise thereby in discharging Incumbrances, and making Buildings and Improvements on the said Estates, and in completing Purchases of Lands agreed for by the said *John Albert Bentinck*, and for other Purposes; and for laying out the Residue of such Money in the Purchase of other Manors, Lands, or Hereditaments, to be settled to the same Uses as are now subsisting concerning the same.
116. An Act for vesting Part of the settled Estates of *Henry Stapilton* Esquire, at *Wighill*, in the County of the City of *York*, in the said *Henry Stapilton*, in Fee Simple; and for settling in Lieu thereof other Lands and Hereditaments of the said *Henry Stapilton*, lying contiguous to, and interspersed with, the Remainder of the said settled Estates, and also the Tithes thereof and of such Remainder, to the same Uses.
117. An Act to enable certain Persons, during the successive Minorities of Sir *William Moleworth* Baronet, and his Brothers, to grant Leases of the Estates devised to them by the Will of Sir *William Morice* Baronet, deceased.
118. An Act for vesting certain Estates in the Counties of *Wilts* and *Somerset*, late belonging to *John Smith* Esquire, deceased, in Trustees, to be sold for Payment of his Debts, and for other Purposes therein mentioned.
119. An Act for settling and securing certain Parts of the Lands and Barony of *Corssemichael*, called *Greenlaw*, and others, lying in the Stewartry of *Kirkcudbright*, to and in favour of *Isabel Gordon* of *Culvinnan*, Widow of *William Gordon* of *Greenlaw*, Esquire, for her Life, and to and in favour of *Alexander Gordon* of *Culvinnan* Esquire, her eldest Son, and the same Series of Heirs, in Fee Tail, and under the same Conditions and Limitations as are mentioned and contained in a Deed of Entail, made in the Year one thousand seven hundred and forty-two, by *John Macculloch* of *Barholm*, and *Jean Gordon* his Wife; and for vesting in the aforesaid *Alexander Gordon* and his Heirs and Assigns, in Fee Simple, the Estate of *Culvinnan*, and others, lying in the County of *Wigton*, together with the Sum of one thousand nine hundred and seventy-one Pounds Sterling.
120. An Act to enable *John Whitfield* Esquire to charge Part of his settled Estates, in the County of *Northampton*, in the Manner therein mentioned.
121. An Act to enable the Rector of the Parish Church of *Hatherop*, in the County of *Gloucester*, to exchange Part of his Glebe Lands there, for other Lands more conveniently situated, the Property of *Samuel Blackwell* Esquire, in the Hamlet of *Williamstrip*, adjoining to the said Parish of *Hatherop*.
122. An Act to dissolve the Marriage of the Reverend *John Jenkins* Clerk, with *Mary Jenkins* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.

T H E

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Quarto.

‘ **A**T the Parliament begun and holden at *Westminster*, the tenth Day of *May*, Anno Domini one thousand seven hundred and sixty-eight, in the eighth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

‘ And from thence continued by several Prorogations to the thirteenth Day of *January* one thousand seven hundred and seventy-four; being the seventh Session of the thirteenth Parliament of *Great Britain*.

C A P. I.

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 seventy-four. 3s.

C A P. II.

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 seventy-four.

C A P. III.

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

C A P. IV.

An Act for the Regulation of his Majesty's Marine Forces, while on Shore.

C A P. V.

An Act to allow the Exportation of Corn, Grain, and other Articles, to His Majesty's Sugar Colonies in *America*; and to extend the Provisions of an Act made in the last Session of Parliament, (intituled, *An Act to regulate the Importation and Exportation of Corn*), allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Islands of *Guernsey* and *Jersey*, to Bread, Biscuit, and Pease; and to allow the Exportation of all the said Articles to the Island of *Alderney*.

‘ **W**HEREAS by an Act passed in the last Session of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), it was (amongst other Things) enacted, That when- ever the Price of middling *British* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the same should be intended to be exported, should appear to be at or above the Price of Forty-four Shillings per Quarter, such Price being ascertained in Manner in the said Act before mentioned, no Person or Persons whatsoever should, directly or indirectly, export, transport, carry, or convey, or cause or procure so to be, out of or from any such Port or Place; or load or lay on board, or cause or procure to be laden or laid on board, in any Ship or other Vessel or Boat, in order to be exported or carried out of any such Port or Place, any Wheat, Wheat Meal, or Flour, or Malt, Bread, Biscuit, or Starch, made of Wheat; and whenever the Price of middling *British* Rye, Pease, or Beans, or of middling *British* Barley, Beer, or Bigg, or of middling *British* Oats, should respectively appear at such Port or Place to be at or above the several distinct Prices in the said Act particularly mentioned, no Person or Persons whatsoever should, directly or indirectly, export, transport, carry or convey, or cause

Preamble.
Act 13 Geo. 3.

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cause so to be, or load or lay on board, in any Ship or other Vessel, or Boat, in order to be exported or carried out of any such Port or Place, any Rye, Pease, or Beans, ground or unground, or any Bread or Biscuit made of Rye, Pease, or Beans respectively, or any Barley, Beer, or Bigg respectively, or any Oats or Oatmeal, or Malt, Bread, or Biscuit, made of Oats, under the several Penalties and Forfeitures in the said Act particularly mentioned and inflicted: And whereas it is necessary at all Times to export Corn, Grain, Pease, Beans, Malt, Flour, Oatmeal, Bread, Biscuit, and Starch, to His Majesty's Sugar Colonies in *America*, for the Sustainance and Use of the Inhabitants 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 passing of this Act, it shall and may be lawful to ship and export, from the Port of *London* only, Wheat and Meal, Flour, Bread, Biscuit, and Starch, made of Wheat, not exceeding in the Whole Two Thousand Quarters in any one Year, to be computed in the Manner herein-after directed; and from the said Port of *London*, and all and every other Port or Place in *Great Britain*, all and every other Sorts of Corn and Grain, Pease and Beans, ground or unground, Malt and Oatmeal, to His Majesty's Sugar Colonies in *America*, any Thing in the said Act to the contrary notwithstanding, for the Sustainance and Use of the Inhabitants of the said Colonies; so as the Exporter do, before the shipping or laying on board the same, declare the Colony or Colonies for which the said Commodities, or either of them, are respectively designed, and become bound with other sufficient Security, in Treble the Value thereof, to the Commissioners, or Chief Officer or Officers, of His Majesty's Customs, belonging to the Port or Place where the same shall be shipped or put on board, (who hath or have hereby Power to take such Security in His Majesty's Name, and to His Majesty's Use), that such Commodities shall not be landed or sold in any Ports whatsoever other than the said Colony or Colonies for which the same shall be so declared; and that a Certificate, under the Hand and Seal of the Collector, Comptroller, or other Chief Officer of the Customs, or if no such, of the Naval Officer, or some of the principal Officers of the Port where the same shall be landed, shall, within the Space of Eighteen Calendar Months after the Date of such Bonds, (the Danger of the Seas excepted), be returned to the Officers who took the said Bonds, that the said Commodities have been landed at the Port or Place for which the same shall be so declared; and for the taking of such Security, and for giving such Certificates (which the respective Officers aforesaid are hereby, on Demand, required to give), no Fee or Reward shall be demanded or received: And if any Officer shall make any false Certificate of any such Commodities being so landed, such Officers shall forfeit the Sum of two hundred Pounds, and lose his Employment, and be incapable of serving His Majesty, His Heirs or Successors, in any Office relating to the Customs; and if any Person shall counterfeit, raise, or falsify any such Certificate, or knowingly publish any such counterfeit, raised, or false Certificate, he shall forfeit the Sum of two hundred Pounds, and such Certificate shall be void, and of no Effect; which said Penalties for Offences committed in *Great Britain* or *Ireland*, shall be recovered in the same Courts, and in the same Manner, as the other Penalties inflicted by the said recited Act are recoverable: And for Offences committed in the Colonies or Plantations in *America*, shall be recovered in the High Court of Admiralty, or in any Chief Court of Civil or Criminal Jurisdiction in such respective Colonies or Plantations; and shall be divided into equal Moieties between His Majesty and the Informer: And the said Bond or Bonds, if not prosecuted within three Years, shall be void; any Thing in the said recited Act to the contrary thereof in any-wise notwithstanding.

Wheat, Meal, Flour, Bread, Biscuit, and Starch, not exceeding 2000 Quarters in one Year, from the Port of *London* only, and all Sorts of Grain, from other Ports and Places in *Great Britain*, may be exported to his Majesty's Colonies in *America*, in any one Year; the Exporter before the Shipping, declaring the Colony to which such Commodities are designed; and find sufficient Security, that the said Commodities be landed in no other Place than in the said Colonies.

A Certificate to be returned, under the Hand and Seal of the Officer of the Customs at the Port where landed, within Penalties are to

eighteen Calendar Months; without Fee or Reward. Penalty for making a false Certificate, and for falsifying a Certificate. How to be recovered. Bonds to be void, if not prosecuted within three years.

When the Exportation of the said Commodities shall be permitted by the said Act, no Bond

II. Provided always, and be it enacted by the Authority aforesaid, That when the Exportation of the said Commodities, or any of them, shall, by the said Act, be permitted; then, and in such Case, no such Bond shall be required upon the Exportation to the said Colonies of such of them as shall be so permitted.

Proviso.

III. Provided also, and be it enacted, That when any Bounty shall be allowed upon the Exportation of the said Commodities, or any of them, the same Bounty shall be allowed upon the Exportation thereof to the said Colonies under the Regulations, Provisions, and Restrictions, in the said Act mentioned.

Nothing in Act 13 Geo. 3. to extend to prohibit any Quantity of Wheat, Meal, Flour, &c. from Southampton to Jersey and Guernsey.

IV. And whereas by the said recited Act, it was (amongst other Things) provided, That nothing therein-before contained should extend to prohibit the several Articles therein-after expressed being exported out of and from the respective Ports in this Kingdom therein-after mentioned, to the several Places therein-after mentioned; that is to say (amongst others), from the Port of *Southampton* to the Islands of *Guernsey* and *Jersey*, any Quantity of Wheat, Meal, Flour, Rye, Barley, or Malt, not exceeding five thousand Quarters: And whereas it is necessary that the said Provision should be extended to the Island of *Alderney*, and Bread, Biscuit, and Pease, are likewise requisite for the Sustainance and Use of the Inhabitants of those Islands; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, nothing in the said recited Act contained shall extend to prohibit the being exported from the Port of *Southampton*, and from no other, to the Islands of *Guernsey*, *Jersey*, and *Alderney*, or any or either of them, for the Sustainance and Use of the Inhabitants thereof, any Quantity of Wheat, Meal, Flour, Rye, Barley, Malt, or of Bread, Biscuit, or Pease, in the same Manner, and under the same Limitations and Restrictions, to all Intents, Constructions, and Purposes, as if the said Island of *Alderney*, and the said Articles of Bread, Biscuit, and Pease, had been originally inserted in the said recited Act; any Thing therein contained to the contrary thereof in any-wise notwithstanding.

Inhabitants of Guernsey, Jersey, or Alder-

V. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons inhabiting in the said Islands of *Guernsey*, *Jersey*, or *Alderney*, to ship and lade, at

or in any or either of the said Islands, and to transport directly from thence to *Newfoundland*, or to any other of the *British Colonies* or Plantations in *America*, where the Fishery is now or shall hereafter be carried on, on board any Ship or Vessel which may lawfully trade there, the Whole or any Part of the said Wheat, Meal, Flour, Rye, Barley, Malt, Bread, Biscuit, or Pease, fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners, or other Persons employed on board the Vessels, or on Shore, in carrying on the said Fishery there, in the same Manner, and under the same Limitations and Restrictions, to all Intents, Constructions, and Purposes, as prescribed in and by an Act made in the Ninth Year of the Reign of His present Majesty, intituled, *An Act to permit the Inhabitants of Jersey and Guernsey to export directly from thence to Newfoundland, or the British Colonies in America, Goods necessary for the Fishery, under certain Restrictions, and to import from thence non-numerated Goods, (except Run), and to land the same in the said Islands*, as if the same were particularly repeated and re-enacted in the Body of this present Act; any Thing in either of the said recited Acts, or any other Law or Statute, to the contrary thereof in any-wise notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That in carrying this Act into Execution, four hundred Weight Avoirdupoise of Meal, and three hundred Weight Avoirdupoise of Flour, Bread, Biscuit, and Starch, made of Wheat, shall be computed, deemed, and taken as, and equal to, one Quarter of Wheat.

VII. And be it further enacted by the Authority aforesaid, That this Act shall be in Force during such Time as the said recited Act, passed in the last Session of Parliament, shall have Continuance.

ney, may ship from thence to any British Plantation, where the Fishery is carried on, Wheat, Meal, Flour, &c. necessary for the Fishery in those Parts, under the Limitation of Act 9 Geo. 3.

400 Cwt. Avoirdupoise of Meal, and 300 ditto of Flour, Bread, &c. to be deemed one Quarter. Continuation of this Act.

C A P. VI.

An Act for further continuing two Acts, made in the sixth and ninth Years of his Majesty's Reign, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, in his Majesty's Dominions in *America*.

WHEREAS an Act, passed in the thirteenth Year of His present Majesty's Reign, intituled, *An Act for further continuing two Acts, made in the sixth and ninth Years of His Majesty's Reign, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, in His Majesty's Dominions in America*; which Act was to continue and be in Force in all His Majesty's Dominions in *America*, from the twenty-fourth Day of *March*, one thousand seven hundred and seventy-four, until the twenty-fourth Day of *March*, one thousand seven hundred and seventy-five: And whereas it has been found necessary that the said Acts, made in the sixth and ninth Years of His Majesty's Reign should be continued for a further Time; 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 Acts shall be, and the same are hereby continued, until the twenty-fourth Day of *March*, one thousand seven hundred and seventy-six.

Preamble. Act 13 Geo. 3.

Further continued until March 24, 1776.

C A P. VII.

An Act for better paving, cleansing, and lighting, the Streets, Lanes, and publick Passages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuisances and Annoyances therein.

WHEREAS the Streets and Lanes within the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, are very ill paved, cleansed, and lighted, and, by Annoyances and Incroachments therein, rendered incommodious and dangerous: And whereas it will tend greatly to the Health, Safety, and Advantage, of the Inhabitants of the said Town of *Cardiff*, or Liberties thereof, and be of great publick Utility to the Persons resorting thereto, and travelling through the same, if the Streets, Lanes, and publick Passages, were properly widened, paved, cleansed, lighted, and kept clear and free from Annoyances and Incroachments: But as the same cannot be remedied and effected without the Aid 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 Right Honourable *John Stuart*, commonly called *Lord Viscount Mountstuart*; the Honourable *George Venables Vernon*, Sir *Charles Kemys Tynne* Baronet, *Thomas Edwards* of *Cardiff*, *William Edwards* of *Cardiff*, the Reverend *Powell Edwards* Rector of *Neath*, *Thomas French* of *Cardiff*, *Marmaduke Gwyn* of *Roath*, *Bartholomew Greenwood* of *Cardiff*, *William Hurst* of *Gabalva*, *Richard Jenkins* of *Cardiff*, the Reverend *Owen Jenkins* Vicar of *Cardiff*, the Reverend *William Llewellyn* Rector of *Saint George's*, *Phillip Lewis* of *Llanrumney*, *Thomas Lewis* of *Llanishen House*, *Henry Lewis* the elder of *Cardiff*, *Herbert Mackworth* of the *Gnoll*, *Francis Minnit* of *Cardiff*, *Thomas Matheus* of *Llandaff*, *Charles Morgan* of *Ruperra*, *John Morgan* of *Ruperra*, *Craddock Nowell* of *Cardiff*, *William Richards* Powell of *Genau'r Glynn*, *William Powell* of *Cardiff*, *John Priest*, *David Prichard*, *Alexander Purcell*, *Michael Richards*, *William Richards* the elder, *William Richards* the younger, *John Richards* the elder, *John Richards* the younger, *Robert Savours*, *John Thomas* the elder, *John Thomas* the younger, all of *Cardiff* aforesaid; *William Thomas* of *Llandaff*, *Thomas Thomas* of *Cardiff*, *Edmund Trahern* of *Cathays*, *Henry Yeomans* of *Cardiff*, the Reverend *George Watkins* Clerk, *Arthur Williams* of *Cardiff*, *Bloom Williams*, *Henry Williams* of the

Preamble.

Commissioners Names.

the same; the Constable of the Castle, the Bailiffs of the Town, the Aldermen, the Steward, and the Town Clerk of *Cardiff* for the Time being, and their Successors, (to be elected in Manner herein-after mentioned), shall be, and they are hereby appointed Commissioners for putting this Act in Execution.

On Death, &c. of Commissioners, others to be chosen.

II. And be it further enacted, That in case of the Death of any of the said Commissioners, or in case of their Refusal or Neglect to act for the Space of two Years, such Death, Refusal, or Neglect to act, being declared at a publick Meeting, that then it shall and may be lawful for the surviving Commissioners, or any seven or more of them, from Time to Time, by Writing under their Hands and Seals, to elect by Ballot some other Person, qualified in the Manner after mentioned, in the Place or Stead of the Commissioners so dying, neglecting, or refusing to act, one Month's Notice of the Time and Place of Meeting for every such Election being given in Writing, signed by the Clerk of the said Commissioners, or by any seven or more of the said Commissioners, and affixed on the Door of the Guildhall of the said Town; and every Person so elected shall, from the Time of his Election, have the same Power and Authority for putting this Act into Execution, as if he had been expressly named and appointed a Commissioner by this Act.

Qualification of Commissioners.

III. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be qualified, or capable of acting as a Commissioner in the Execution of this Act, unless he shall be in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear and yearly Value of fifty Pounds Freehold, within the County of *Glamorgan*; or shall be Heir Apparent of some Person having an Estate of the yearly Value of one hundred Pounds Freehold, in the County of *Glamorgan*; or unless he be in the actual Possession, Enjoyment, and Receipt of Rents and Profits of Houses, Lands, or Tenements, of the clear yearly Value of ten Pounds Freehold, arising within the Limits of the said Town or Liberties thereof; or being an Inhabitant or Resident within the said Town or Liberties, (not having such Estate as aforesaid) unless he shall be a Tenant or Occupier of Lands, Tenements, or Hereditaments, of the yearly Value of twenty Pounds, or possessed of a personal Estate of the Value of five hundred Pounds, after all Debts paid; nor unless he shall, at the first Meeting in which he shall act as Commissioner, deliver in, or cause to be delivered in, a Certificate in Writing, signed by him, expressing his Qualification; which Certificate shall be filed by the Clerk of the said Commissioners, and an Entry made of their Names, and the Time when delivered, in a Book to be kept for that Purpose, signed by the said Clerk: And if any Person not being so qualified, or not delivering such Certificate, or other Person appointed by the Commissioners, or any five or more of them, shall presume to act as a Commissioner in Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of fifty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager at Law, or more than one Impar lance, shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor, than that such unqualified Person hath acted as a Commissioner in the Execution of this Act.

Penalty on acting, if not qualified.

Commissioner not to act whilst he holds a Place of Profit.

IV. Provided also, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, during such Time as he shall hold any Place of Profit by virtue of this Act.

First Meeting of Commissioners.

V. And be it further enacted, That the said Commissioners, or any five or more of them, shall and may, and they are hereby impowered and required, to meet in the Guildhall of the said Town, on *Monday* the second Day of *May* next, between the Hours of ten and twelve of the Clock in the Forenoon of the same Day, and proceed to the Execution of this Act; and then from Time to Time afterwards to adjourn themselves, and meet there, or at any Place within the said Town or Liberties thereof, as often as the said Commissioners, or any five or more of them, shall think proper, for putting this Act in Execution; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Commissioners to adjourn to any other Day, then, and as often as any such Case shall happen, the Clerk to the said Commissioners shall and may adjourn such Meeting to that Day Fortnight, giving Notice thereof in the Parish Church of *Saint John the Baptist*, within the said Town, six Days before such Meeting; or if there be no Clerk appointed, or the Clerk to the said Commissioners shall neglect or omit to adjourn, or any wrong Adjournment shall be made; then, and in every such Case, the said Commissioners, or any five or more of them, may, by publick Notice in Writing under their Hands, to be affixed on the Door of the Guildhall of the said Town, appoint the said Commissioners to meet at the Place where the then last Meeting was appointed to be held, at any Time not less than three Days, or more than six Days next after any such Notice shall be given as aforesaid; and the said Commissioners shall and may meet accordingly at the Time and Place mentioned in the said Notice, and proceed to the Execution of this Act, and shall and may make such Orders, Rules, and Regulations, as to them, or the Majority of them, then and there present, shall appear necessary, for the better and more effectual carrying of this Act into Execution: And the Commissioners shall, at all their Meetings, pay their own Charges and Expences.

Power of Adjournment.

Commissioners to pay their own Expences.

VI. And be it enacted, That at every Meeting of the said Commissioners to be held by virtue of this Act, the Powers and Authorities hereby granted shall be carried into Execution by the major Part of the Commissioners present, so as such major Part shall always consist at least of the respective Number of Commissioners by this Act limited for the respective Purposes therein mentioned.

Regulations to be made by Majority of Commissioners.

VII. And be it further enacted, That the said Commissioners shall, at any Meeting, make, vary, alter, or make void, any such Orders, Rules, or Regulations, in such Manner as they shall think needful and proper.

Commissioners may alter any Order under certain Restrictions. Proceedings to be entered in Books.

VIII. Provided always, That no Order, Rule, or Regulation, made by the said Commissioners as aforesaid, shall be revoked, varied, altered, or made void, unless nine or more of the said Commissioners shall

shall concur in revoking, varying, altering, or making void the same; and no Act or Order of the said Commissioners shall be valid, unless done at some publick Meeting to be held in pursuance of this Act: And the said Commissioners, or any five or more of them, shall cause to be provided and kept Books, wherein the several Meetings, and Names of the Commissioners attending such Meetings, and the Nomination of all Officers and Persons who shall be employed in the Execution of this Act, and all Orders and Rules, and other Proceedings of the said Commissioners at such Meetings, shall, from Time to Time, be fairly written and entered by their Clerk, or by such other Person as the major Part of the Commissioners then present at such Meeting (in case of the Absence of the Clerk) shall appoint; and the Commissioners present, and concurring in such Orders and Proceedings, together with the said Clerk or other Person, shall subscribe their Names at the End of the Proceedings of every such Meeting; and all such Entries, so signed, shall be deemed Originals, and shall be admitted to be read in Evidence in all Causes, Suits, and Actions, touching any thing to be done in pursuance of this Act; and all such Books shall, at every such Meeting of the said Commissioners, be liable to the Inspection of any Person rated and paying to the Rates which shall be made in pursuance or by virtue of this Act.

IX. And be it further enacted, That the said Commissioners, or any five or more of them, shall and may, from Time to Time, nominate and appoint one or more Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, of the Money to be raised by virtue of and for the Purposes of this Act, and also one or more Surveyor or Surveyors, and such other Officer and Officers, Person or Persons, as the said Commissioners, or any five or more of them, shall think necessary to employ in the Execution of this Act; and the said Commissioners, or any five or more of them, may remove or displace all or any of the said Officers or other Persons, and nominate and appoint such other Person or Persons in the Room of him or them who shall be so removed, or shall die, provided twelve Days Notice of their Intention to remove or displace such Officer or Officers, and to appoint one or more Person or Persons in his or their Room, be given, in Writing, by affixing the same upon the Door of the Guildhall of the said Town; and the said Commissioners, or any five or more of them, shall, and they are hereby required, to take such Security, from Time to Time, for the due Execution of the said Offices respectively, as the said Commissioners, or any five or more of them, shall think proper; and the said Commissioners, or any five or more of them, may, and they are hereby empowered, out of the Monies arising by virtue of this Act, to make such Allowances to such Officer or Officers, or to such other Person or Persons as shall be aiding and assisting in and about the Execution of the said Act, as to the Commissioners shall seem reasonable: And every Officer and other Person so to be appointed, shall, under his Hand, at such Time or Times, and in such Manner, as the said Commissioners, or any five or more of them, shall direct, deliver to the said Commissioners, or any five or more of them, or to such Person or Persons as they, or any five or more of them, shall appoint, a true and perfect Account, in Writing, of all Matters and Things committed to his Charge by virtue of this Act; and also of all the Monies which shall have been by him received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed by Order of the Commissioners, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in his Hands to such Person or Persons as the said Commissioners, or any five or more of them, shall appoint: And every Officer or Person, accounting as aforesaid, shall, upon Oath, (which Oath the said Commissioners, or any two or more of them, are hereby empowered and required to administer), verify his Account, if required by any five or more of the said Commissioners so to do; and if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or to deliver up the Vouchers relating to the same, or to make Payment as aforesaid; then, in any of the Cases aforesaid, any one or more Justice or Justices of the said Town of *Cardiff*, upon Complaint thereof made to him or them by the said Commissioners, or any five or more of them, may, and is and are hereby authorized and required to issue a Summons, under his or their Hand and Seal, or Hands and Seals, requiring such Officer or Person, so refusing or neglecting, to appear before him or them at such Time and Place as shall in such Summons be appointed; which Summons shall be directed to and served by one of the Constables of the said Town of *Cardiff*, by giving it to, or leaving it at, the House or usual Place of Abode of such Officer or Person; and, upon such Officer or Person appearing or making Default, or not being to be found, the said Justice or Justices shall and may hear and determine the Matter of such Complaint in a summary Way: And if upon the Confession of the Party, or by the Testimony of one or more credible Witness or Witnesses, upon Oath, (which Oath such Justice or Justices is and are hereby empowered and required to administer), it shall appear to such Justice or Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the hands of such Officer or Person, or that such Officer or Person shall not make and render, or shall refuse to verify upon Oath an Account, or to produce or deliver up the Vouchers and Books relating to the same; such Justice or Justices may, and is and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to be directed as aforesaid, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer and Person; and if the Goods and Chattels of such Officer or Person shall not be sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or in case such Account shall not be made and verified upon Oath as aforesaid, or such Vouchers and Books produced and delivered as aforesaid; then, and in any of the Cases aforesaid, such Justice or Justices shall commit such Offender to the Gaol of the said Town or Borough, until he shall make a true and perfect Account and Payment, and deliver up such Vouchers and Books, as aforesaid, or until he shall have compounded with the said Commissioners, or any five or more of them, and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners, or any five or more of them, are empowered to make.

X. And be it further enacted, That from and after the passing of this Act, the Property of the Pavement, Lamps, Lamp-irons, and Lamp-posts, to be erected and fixed as herein-after mentioned, and all

Commissioners
may appoint
Officers;

and remove
them, &c.

Officers to
account upon
Oath.

Penalty on not
accounting.

Pavement and
Lamps vested in
the
Commissioners.

the Materials of the same respectively belonging; and the Property of the present and the future Pavement, as well in the Footways as in the Carriage-ways, in all and every the Streets, Lanes, and other publick Passages within the said Town of *Cardiff*, and Liberties thereof, intended to be new paved, cleansed, and lighted, and all Materials, Implements, and other Things to be purchased for the Purposes aforesaid; and all the Sewers and Drains for conveying Water through and from the Streets, Lanes, and other publick Passages, shall be, and the same are hereby vested in the said Commissioners; and they, or any five or more of them, are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions, in the Name or Names of any one or more of the said Commissioners, or in the Name of their Treasurer or Clerk, or to prefer any Bill or Bills of Indictment, as the Case shall require, against any Person or Persons who shall steal, take, or carry away, spoil, injure, or destroy, any Part or Parts thereof, or any other Matter or Thing vested in the said Commissioners, as aforesaid: And the said Commissioners, or any five or more of them, shall have full Power and Authority to sell and dispose of all or any of the old and useles Materials to such Person or Persons as shall be willing to purchase the same; and the Money arising therefrom, shall, at the Discretion of the said Commissioners, or any five or more of them, be applied to such and the same Purposes as the Monies arising from the Rates and Assessments, to be raised in and by this Act, are directed to be applied.

Pavements to be
new made, &c.

XI. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby empowered and authorized, from Time to Time, and at all Times, when and so often as the said Commissioners, or any five or more of them, shall think proper, to order or direct all or any of the Pavements in the said Streets, Lanes, and other publick Passages now in being, or hereafter to be made, within the said Town of *Cardiff*, or Liberties thereof, or any Part or Parts of such Streets, Lanes, and other publick Passages, as well those used by Carriages as those used by Foot Passengers, to be taken up, and the said Streets, Lanes, and other publick Passages to be paved, relayed, repaired, raised, lowered, or altered, and to make, dig, sink, and build, proper Drains, Gutters, and Sewers, to be made for the conveying Water under Ground, and to place and put proper Iron Gratings thereon, or otherwise, when and in such Manner as the said Commissioners, or any five or more of them, shall think proper (except as herein-after is particularly mentioned); and the Person or Persons authorized and directed by them to do the same, have hereby full Power and Authority to do the same accordingly; and the said Commissioners are hereby authorized and required to make, sink, and build, the Watercourses, Gutters, and Drains, in the Street leading from the West or Mill-gate, through *Castle Street*, to the High Corner, and from the West or Mill-gate to *Homanby Street*, in the said Town of *Cardiff*, and to pave and repair, light and cleanse the same, as soon as conveniently may be after passing this Act, and first and before any other Street, Lane, or other publick Passage, of the said Town or Liberties, in order that the Rain Water of the said Town or Liberties thereof may be more conveniently conveyed under Ground; and the said Commissioners, or any five or more of them, shall have also full Power and Authority to cause to be dug, carted, and carried out of, or brought into, the said Streets and Lanes, and other publick Passages, such Gravel, Stones, and other Materials as shall be necessary, and also to take any Stones out of the River of *Taff*, or any Waste within the said Town or Liberties, and to employ such Artificers, Workmen, Labourers, Carters, and others, and to issue such Money on those Accounts, and to do all and every such Acts and Things as the said Commissioners, or any five or more of them, shall judge necessary or conducive to the accomplishing the Ends and Design of this Act.

Commissioners
not obliged to
repair Turnpike
Roads.

XII. Provided always, That nothing in this Act contained shall be construed to empower or oblige the Commissioners to alter, repair, or cleanse (unless for the Purpose of making a good and convenient Foot-way or Crossings), any Carriage-way of any of the said Streets or Lanes which ought to be repaired at the Expence of any Commissioners for repairing and widening any Turnpike Road within the said Town or Liberties, or to repair the Thorougths or Arches belonging to the Mill and Forge, or Copper-works, at *Cardiff* aforesaid, which may be under the Pavements made by the Commissioners under this Act; but that the Proprietors of the said Mill, Forge, or Works, shall be at the sole Expence of repairing the same on all Occasions, when necessary, and of making good any Damage they may do to the Pavements made above those Arches and Thorougths, by repairing the said Arches or Thorougths.

No Person to
alter Pavements
without the
Consent of Com-
missioners.

XIII. Provided also, That if any Person shall, at any Time or Times after the passing of this Act, make, or cause to be made, any Alteration in the Form of the Pavement of any Streets or Lanes, or publick Passages, within the said Town and Liberties thereof, without the Consent and Approbation of the Commissioners, or any five or more of them, the Person or Persons making, or causing the same to be made, shall, at his and their own Costs and Charges, within fourteen Days after Notice, in Writing, given for that Purpose by the said Commissioners, or any five or more of them, or their Surveyor or Clerk, remove or take away the same, and put such Part of the said Street, Lane, or publick Passages, where the same shall have been made, in the same or like Form and Condition it was before the making the said Alteration; and in case of his, her, or their Neglect or Refusal so to do within such Time as aforesaid, then the said Commissioners, or any five or more of them, shall and may order any proper Workman or Workmen to reinstate the same, and put the said Streets, Lanes, or publick Passages, in the same or like Form and Condition it was before; and upon Complaint made on Oath to one or more Justice or Justices of the said Town of such Neglect or Refusal, it shall and may be lawful for such Justice or Justices, by his or their Warrant, under his or their Hand and Seal, or Hands and Seals, which Warrant such Justice or Justices is and are hereby authorized and empowered to grant, to levy the Costs and Charges attending the same by Distress and Sale of the Goods and Chattels of the Person or Persons who made, or caused to be made, such Alteration, together with the Charges of such Distress and Sale, rendering the Overplus, if any be, to the Person or Persons whose Goods and Chattels shall be so distrained and sold, when demanded.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby authorized and impowered, from Time to Time, to contract with any Person or Persons for the paving, relaying, repairing, raising, lowering, amending, altering, cleansing, and lighting, the said Streets, Lanes, and publick Passages, within the said Town and Liberties; which Contract or Contracts shall specify the Works to be done, and the Prices to be paid for the same, and the Time and Times when such Works shall be performed and completed, and the Manner of completing and performing the same, and the Penalties to be suffered in case of Nonperformance thereof; and the same shall be signed by the Commissioners, or any five or more of them, and by the Person or Persons contracting to perform such Works or Undertaking: And the said Commissioners, or any five or more of them, are hereby authorized and impowered to pay such Sum or Sums of Money for such respective Works, as they shall so contract and agree for, out of the Money to be raised for the Purposes of this Act.

Commissioners may make Contracts for paving, &c.

XV. And be it further enacted, That all Charges and Expences attending the new-paving, lowering, raising, and altering, the said Streets, Lanes, and publick Passages, in the said Town of *Cardiff* and Liberties, by virtue of this Act, shall for the first Time, until completed, be borne and defrayed, under the Direction and Order of the said Commissioners, by the Owner or Owners, Proprietor or Proprietors, of the several Houses, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments, lying before or opposite to and adjoining to the said Streets, Lanes, and Passages, according to the whole Front or Fronts, Side or Sides, of his, her, or their Houses, Building, Yard, Court, Garden, Piece of Land, Tenement, or Hereditament, to the Middle of the Street, Lane, or publick Passage, as shall be sufficient to complete the Pavement in the respective Streets, Lanes, or publick Passages; and which Proportion so to be defrayed and borne by the said several Owners and Proprietors of each respective Street, Lane, or publick Passage, shall be settled and ascertained by the said Commissioners, or any five or more of them, according to the Square Yards before the Fronts and Sides of their several and respective Houses, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments; for which Purpose a due and just Admeasurement of the said Streets, Lanes, and publick Passages, shall be made by the Persons employed by the Commissioners, or any five or more of them, for that Purpose, before the taking up of the Pavement of the Street, Lane, or publick Passage, so to be repaved; and which Admeasurement shall be duly entered in a Book to be kept for that Purpose, and signed by the Clerk and such Person and Persons as shall measure the same; and opposite to such Admeasurement shall be settled the Sum which the new-paving of such Pavement shall amount to, according to the Contract made by the said Commissioners, or any five or more of them, with the Artificers or Workmen employed, or to be employed, in the paving thereof; and every Person to be charged by the making of such Pavement may inspect the same gratis.

Expence of paving, &c. how to be paid.

XVI. And be it further enacted, That the Charges and Expences of new paving and altering the said Streets, Lanes, and publick Passages, by this Act directed to be borne and defrayed by the respective Owners or Proprietors for the said first Time, shall be paid to the Collector or Clerk for the Time being, appointed by the Commissioners, or any five or more of them, according to the Admeasurement and Price, by the Tenants or Occupiers of the said Houses, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments; and such Tenants or Occupiers shall be at Liberty, and they are hereby impowered, to deduct and retain out of his, her, or their Rent or Rents, such Sum or Sums of Money as they shall respectively pay, on account thereof, for the respective Owners and Proprietors of the said Houses, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments, who are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and if any Tenant or Occupier of any House, Building, Yard, Court, Garden, Lands, Tenements, or Hereditaments, in the said Town or Liberties thereof, shall neglect or refuse to pay such Charges within ten Days after Demand thereof, by Notice, in Writing, under the Hand of the said Collector or Clerk, to be delivered to, or left at the Dwelling-house of such Tenant or Tenants, Occupier or Occupiers, the same shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal of any one or more Justice or Justices of the Peace of the said Town of *Cardiff*, which Warrant the said Justice or Justices is and are hereby authorized to grant upon Information on Oath of such Neglect or Refusal, which Oath such Justice or Justices is or are impowered and required to administer without Fee or Reward, returning the Overplus (if any) of the Monies to be raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods or Chattels so distrained on Demand: And where any House, Building, Court, Yard, Lands, Tenements, and Hereditaments, shall be let or demised to more than one Tenant or Tenants, Occupier or Occupiers, any one or more of such Tenant or Tenants, Occupier or Occupiers, shall be deemed the Tenant or Tenants, Occupier or Occupiers, for the Purposes of this Act; and the said Charges shall be levied by Distress and Sale of all or any of the Goods and Chattels in such House, Building, Court, Yard, Lands, Tenements, and Hereditaments: And in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of the said House, Building, Court, Yard, Garden, Lands, Tenements, or Hereditaments, before such Charges shall be paid by him, her, or them; and if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Charges; or if it shall happen that any of the Houses, Buildings, Yards, Courts, Gardens, Lands, Tenements, or Hereditaments, in the said Town and Liberties, shall be untenanted at the Time the Pavements before them shall be begun; then, and in every such Case, such Houses, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments, shall be, and the same is and are hereby made a Security for and chargeable with all such Charges, and the same shall and may be levied by Distress and Sale, by Warrant as aforesaid, of any Goods and Chattels which shall after be found in or upon the same Houses, Buildings, Courts, Yards, Gardens, Lands, Tenements, or Hereditaments, or the Goods and Chattels of the Owner or Owners of such

Charges of paving, &c. to be paid by Tenants.

Houses let to more than one Tenant, any one may be deemed the Occupier.

Tenants removing before Charges paid,

Premises to be a Security for the Sum.

such Houses, Buildings, Yards, Courts, Gardens, Lands, Tenements, or Hereditaments, in case such Owner or Owners shall neglect or refuse to pay the same for the Space of twenty Days next after the same shall be demanded of him, her, or them, by Notice in Writing under the Hands of the said Collector or Clerk, to be delivered or left at the Dwelling-house or usual Place of Abode of such Owner or Owners, in case such Owner or Owners shall then reside within the said Town or Liberties: And in case such Owner or Owners shall not reside within the said Town of *Cardiff*, or Liberties thereof; then, in case of such Neglect or Refusal as aforesaid, upon like Notice, all such Charges shall in like Manner be levied by Distress and Sale, under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Owner or Owners shall reside: And in case any Tenant or Tenants, Occupier or Occupiers, shall pay to the said Collector more Money, on account of the said Charges, than shall be due from him, her, or them, to the Owner or Owners thereof, for the Rent of his, her, or their House, Building, Court, Yard, Garden, Lands, Tenements, or Hereditaments, the Overplus thereof shall and may be levied on the Owner or Owners of such House, Building, Court, Yard, Garden, Lands, Tenements, and Hereditaments, by Distress and Sale of the Goods and Chattels of such Owner or Owners, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Goods or Chattels shall be, such Owner or Owners having refused or neglected to pay the same for the Space of ten Days after Demand made thereof by such Tenant or Tenants, Occupier or Occupiers, his, her, or their Attorney or Agent for that Purpose appointed.

Tenants paying more Money than shall be due for Rent, the Overplus to be made good by the Landlord.

Particular Places to be repaired by particular Persons.

XVII. And be it further enacted, That the Bailiffs, Aldermen, and Burgessees, of the said Town, shall bear, pay, and sustain, the Charges and Expences of paving the Pavement adjoining to the Castle Walls, from the West Gate to the Bull Ring, as also the Bull Ring, as far as they usually and heretofore repaired the same, as also in the Streets adjoining to the Guildhall and Market-house, and from thence to the Middle of the Street there; and that the Overseers of the Poor of the several and respective Parishes of *Saint John the Baptist* and *Saint Mary's*, in the said Town, shall bear and sustain the Charges and Expences of paving the Pavement adjoining to the Almshouses and Workhouse, to the Middle of the Street there, in the same Share and Proportion as they respectively maintain their Poor; that is to say, *Saint John the Baptist* two-thirds, and *Saint Mary's* one-third; and that the Churchwardens of the Parish of *Saint John the Baptist* shall bear, pay, and sustain, the Charges and Expences of paving the Pavement opposite and adjoining to the Church-yard of the said Parish Church of *Saint John the Baptist* to the Middle of the Street there; which respective Sums shall be paid by the said Overseers and Churchwardens respectively to the Collector or Clerk to the said Commissioners, and shall be allowed to them respectively in all Accounts touching their several Offices and Departments: And in case the Overseers of the Poor and Churchwardens, or any or either of them, shall neglect or refuse to pay to the said Collector or Clerk the Charges and Expences hereby directed to be paid by them respectively for the Space of twenty Days next after the same shall be demanded of them respectively, by Notice in Writing under the Hand of the said Collector or Clerk, to be delivered to them respectively, or left at their respective Dwelling-houses, or usual Places of Abode; then, and in every such Case, the said Charges and Expences so neglected or refused to be paid, shall and may be levied by Distress and Sale of the Goods and Chattels of the said Overseers and Churchwardens, or of such of them as by this Act is or are directed to pay the Charges and Expences so neglected or refused to be paid; and such Distress shall be made by Warrant under the Hands and Seals of any two or more Justices of the Peace of the said Town of *Cardiff*, which Warrant such Justices are hereby required and authorized to grant; and the Overplus of the Monies to be raised by such Distress and Sale (if any), after deducting the Charges attending the same, shall be returned to the Owner or Owners of the Goods and Chattels so distrained and sold on Demand.

Contracts between Landlords and Tenants not vacated.

Commissioners to direct where Lamp shall be set up, &c.

XVIII. Provided always, That nothing herein contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving the said Streets and Lanes.

XIX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, are hereby authorized and impowered to direct and appoint in what Parts of the said Town or Liberties the said Lamps shall be set up or continued, and to what Houses, Buildings, and other Places, the said Lamps or Lamp-posts or Irons shall be affixed; and also direct and appoint the Number and Sort of Lamps, and for how long Time the same shall continue lighted; and out of the Monies to be raised by virtue of this Act to cause the same to be set up, replaced, lighted, supported, repaired, and provided with all Requisites.

Penalty on Persons damaging Lamps.

XX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any one or more of them, is and are hereby authorized and impowered, in his or their Name or Names, or in the Name of their Clerk or Treasurer, to bring Actions, and prosecute Indictments, against any Person or Persons, for stealing, taking, or carrying away, breaking, extinguishing, spoiling, or damaging, any Lamp or Lamps, or the Furniture or Materials thereto belonging, which shall be hereafter by virtue of this Act set up or affixed in the said Town or Liberties; and all and every Person or Persons who shall maliciously or wilfully break or throw down, take, carry away, extinguish, damage, or spoil, any Lamp or Lamps, put up or continued by virtue of this Act, or wilfully damage the Posts, Irons, or other Furniture thereof, or willingly hinder or obstruct any of the Commissioners Officers, or Workmen, employed in any Manner in the Execution of this Act in their Duty, every Person or Persons offending in any of the Cases aforesaid, shall, upon being convicted thereof upon the Oath of one or more credible Witnesses or Witnesses, or his, her, or their own Confession, before any Justice of the Peace of the said Town (which Oath such Justice is hereby impowered and required to administer without Fee or Reward), shall forfeit, for the first Offence, any Sum not exceeding five Pounds; for the second Offence, any Sum

not

not exceeding ten Pounds; and for the third, and every other Offence, any Sum not exceeding the Sum of twenty Pounds; and that one Moiety of the said respective Forfeitures shall go to the Informer, and the other Moiety to the Commissioners, to be disposed of as the other Forfeitures are hereby directed to be applied; and such Offender or Offenders shall, over and above such respective Penalties, pay such Sum or Sums of Money as the said Justice or Justices shall think reasonable, by way of Satisfaction for any Damage done by such Offender or Offenders: And in case any Person or Persons shall carelessly, negligently, or accidentally break or otherwise damage any of the Lamps so put up as aforesaid, or the Lamp-irons, Posts, or other Furniture thereof, or extinguish the Lights thereof, and shall not immediately (upon Demand) make Satisfaction for the Damage done thereto; then, and in such Case, it shall and may be lawful to and for any one or more Justice or Justices of the City, Town, County, or Place, where such Person or Persons shall be or reside, upon Proof thereof by Oath, as aforesaid (which Oath the Justice or Justices is and are hereby impowered and required to administer without Fee or Reward), of one or more Witness or Witnesses, or by the Confession of the Party, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded within ten Days after Demand, to cause the same, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall so have done such Damage, rendering to him, her, or them, the Overplus (if any there be) after deducting the Costs and Charges of such Warrant, and of such Distress and Sale, when demanded.

XXI. And be it further enacted, That the Charges and Expences of obtaining this Act, and the keeping in Repair the said Pavements after the same shall be new paved, as also the making of new Gutters, Drains, and Sewers for conveying the Water under Ground, and the keeping the same in Repair, and also the sweeping, cleansing, and lighting the same, shall at all Times be borne and defrayed by the Tenants, and Occupiers of any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Mill, Forge, Iron Works, or Copper Works, Buildings, Land, Garden, Court, Yard, Tenement, within the said Town and Liberties, that shall be adjoining or contiguous to the Streets, Lanes, or publick Passages, comprised or intended to be new paved, cleaned, and lighted, by virtue of this Act; and for defraying the Charges and Expences so to be borne and defrayed by the said Tenants and Occupiers, it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby authorized and required, in every Year after the passing of this Act (the first Year to be computed from the twentieth Day of December last, and next before the passing of this Act, and every succeeding Year from the said Day in every Year respectively), to make one or more Rate or Rates, Assessment or Assessments, to be signed by any five or more of the said Commissioners, upon the Tenants or Occupiers of all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Mills, Forges, Iron Works, Copper Works, Buildings, Gardens, Courts, Yards, Lands, Tenements, and Hereditaments, within the said Town and Liberties, that shall be adjoining or contiguous to the Streets, Lanes, or publick Passages intended to be paved, cleaned, and lighted, by virtue of this Act; so as such Rate or Rates, Assessment or Assessments, shall not exceed in the Whole twelve pence in the Pound in any one Year, of the yearly Rent or Value of such Shop, Warehouse, Coach-house, Stable, Cellar, Vaults, Mills, Forges, Iron Works, Copper Works, Gardens, Courts, Yards, Lands, Tenements, and Hereditaments, according to the Rack-rent or full yearly Value thereof; and the said Rate or Assessment shall be, and the same is hereby vested in the said Commissioners, and shall be by the said Commissioners, or any five or more of them, applied for the Purposes of this Act; and the Money or Monies so rated or assessed on the said Tenants or Occupiers, and to be borne and defrayed by them, shall be paid by them respectively to the said Collector, or other Person or Persons appointed by the said Commissioners to receive the same: And if any Tenant or Occupier of any House, Shop, Warehouse, Coach-house, Stables, Cellars, Vaults, Buildings, Ground, Tenement, or Hereditament, in the said Town or Liberties, shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments to the said Collector for the Space of ten Days next after Demand made thereof, by Notice in Writing, under the Hand of the said Collector, to be delivered to or left at the Dwelling-house or usual Place of Abode of such Tenant or Occupier, the same shall and may be levied on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing; by Distress and Sale of his, her, or their Goods and Chattels (by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the Town of Cardiff), and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned on Demand to the Owner or Owners of the Goods or Chattels so distrained, after deducting all Charges attending such Distress and Sale; and where any Person or Persons, who shall be rated or assessed to the said Rates or Assessments, shall quit his, her, or their House, Shop, Warehouse, Coach-house, Stables, Cellar, Vault, Building, Ground, Tenement, or Hereditament, before he, she, or they, shall have paid the same, and shall afterwards neglect or refuse to pay the same to the said Collector for the Space of ten Days next after Demand thereof, in Manner aforesaid, every such Person shall, for every such Neglect or Refusal, forfeit and pay the Sum of five Shillings; and the Money so due for the said Rates, and the said Sum of five Shillings, as well as the Money due by the Rates, shall and may be levied by Distress and Sale of the Goods and Chattels of such Person, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the said Town of Cardiff, or for any County, City, Borough, Town, Division, or Place, where such Person or Persons shall remove to reside in, as the Case shall happen, which Warrant any such Justice or Justices is and are hereby authorized and required to grant in any Place where such Person or Persons shall remove to or reside in, and the Overplus (if any), of the Monies arising from such Distress and Sale, after deducting the reasonable Costs, Charges, and Expences of obtaining such Warrant, and making, keeping, and selling the said Distress, shall be returned to the Owner or Owners of such Goods and Chattels on Demand; and where any Person or Persons shall come into or occupy any House, Shop,

Charges of keeping in Repair, &c. the Streets, to be borne by the Tenants, &c.

Rates to be made annually in July.

Warehouse, Coach-house, Stable, Cellar, Vault, Building, Ground, Tenement, or Hereditament, out of or for which any other Person before assessed toward Payment of any Rate made in pursuance of this Act shall be removed, and such Rate shall not be paid and discharged, that then every Person so coming into or occupying the same Premises shall be liable to pay such Rate, in proportion to the Time that such Person shall occupy the same, in the same Manner as if such Person so coming in or occupying had been originally rated or assessed in such Rate or Assessment; and which said Proportion, in case of Dispute, shall be ascertained by any five or more of the said Commissioners, at their then next Meeting after Demand made thereof.

Certain Streets, &c. exempted until Inhabitants are of Ability.

XXII. ' And whereas there are several Streets, Lanes, and Places, in the said Town of *Cardiff*, and Liberties thereof; that is to say, the Streets and Lanes extending from the Gaol to the Moor Gate, as also from the Workhouse to the Moor Gate, as also the several Streets, Lanes, and Places, which are to the South of the Church of *Saint John the Baptist*, and the Workhouse and Gaol aforesaid; as also from the little Stone Bridge to the Great Bridge; as also from the Blind Lane to the Long Cross, and the Streets, Lanes, and Places, lying and being to the East of the said Blind Lane, and to the North of the North Gate of the said Town, the Inhabitants whereof are either unable to defray the Expences of new paving, cleansing, and lighting the same, under the Regulations of this Act, and are desirous at present to defer the new paving, cleansing, and lighting the same; be it therefore enacted, That it shall not be lawful for the said Commissioners appointed to put this Act in Execution to order or direct any of the said Streets, Lanes, or Places, to be new paved or repaired, cleansed or lighted, nor shall any Rate or Assessment be made on any of the Inhabitants thereof, by virtue of this Act, for the Purposes of paving, repairing, cleansing, or lighting, any Part of the Streets, Lanes, or Places aforesaid.

Proviso.

XXIII. Provided nevertheless, That if at any Time hereafter the Proprietors or Owners and Inhabitants of any of the Streets, Lanes, or Places, which are exempted from being new paved, lighted, and cleansed, as aforesaid, shall become of Ability, and are desirous to pave, repair, light, and cleanse the same, and the major Part, in Number and Value, as well of the Proprietors of Estates as of the Inhabitants living within the said Streets, Lanes, or Places, shall petition the Commissioners for executing this Act to pave, repair, cleanse, and light, any particular Streets, Lanes, or Places, which are so exempted; then, and from thenceforth, such particular Streets, Lanes, or Places, shall be subject to be paved, repaired, lighted, and cleansed, in such Manner, and by such Ways and Means, as the several Streets and Lanes which are under the Direction of the said Commissioners can or may be paved and repaired; and that, in the mean Time, and until such Petition shall be so made, the Occupiers and Inhabitants of the said Streets, Lanes, or Places, shall repair and cleanse the said Streets, Lanes, and Places, in the same Manner as they usually did, and were obliged to do before the passing of this Act; any thing herein contained to the contrary notwithstanding.

Money may be borrowed, and charged on the Rates.

XXIV. ' And, in order that a sufficient Sum of Money may be forthwith raised to defray the Expences of making the said Gutters and Sewers, and repairing, cleansing, and lighting the said Streets and Lanes, within the said Town and Liberties thereof, and defraying the Expences attending the procuring and passing of this Act, and other Incidents, in respect to the Execution thereof; be it further enacted, That it shall and may be lawful for the said Commissioners, or any five or more of them, from Time to Time, to borrow any Sum or Sums of Money for the Purposes of this Act, not exceeding in the Whole the Sum of five hundred Pounds, at Interest, and to assign over by Writing, signed by any five or more of the said Commissioners, all or any Part of the said Rates or Assessments, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed; and all such Securities may from Time to Time be assigned and transferred in Manner herein-after directed; and such Assignments and Transfers shall intitle the Person to whom the same shall be made to all principal Money, and all Interest due, and to grow due, upon such Securities: Provided always, That no more than the Sum of five hundred Pounds shall be due and owing at any one Time on the Credit of the said Rates and Assessments.

XXV. And be it further enacted, That all Securities for any Money to be borrowed as aforesaid, shall be in the Words following, or Words to the following Effect:

Form of Security.

' BY virtue of an Act made in the fourteenth Year of the Reign of his Majesty King *George* the Third, ' For better paving, cleansing, and lighting the Streets, Lanes, and publick Passages, in the Town ' of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuisances ' and Annoyances therein: We of the Commissioners, do assign to *A. B.* his ' Executors, Administrators, and Assigns, in consideration of the Sum of _____ from ' this _____ Day of _____ in the Year of our Lord, ' until the said Sum of _____ with Interest, at the Rate of _____ per Centum ' per Annum, shall be repaid, such Proportion of the Rates or Assessments to be rated or assessed by virtue ' of the said Act, as the said Sum of _____ shall bear to the whole Sum advanced on the ' Credit of the same.'

Copies of Securities to be entered in Books.

And Copies of all such Securities shall be entered in a Book or Books, to be kept for that Purpose by the Clerk of the said Commissioners; but no Money shall be borrowed after the first Meeting, unless Notice for that Purpose be given in Writing, to be affixed upon the Church Door of the said Town, at least fourteen Days before the borrowing thereof; and all and every Person and Persons to whom any such Security or Securities shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from Time to Time, by Writing, under his, her, or their Hand and Seal, or Hands and Seals, assign or transfer his, her, or their Right, Title, Interest, or Benefit, of the Principal and Interest thereby secured, to any Person or Persons whomsoever, by the following Words of Assignment to be indorsed on the

the Back of such Security, in the Presence of one credible Witness ; which Transfer or Assignment shall be in the following Words, or Words to the like Effect :

I Do transfer this Assignment, with all my Right and Title to the Principal and Interest thereby secured, unto his Executors, Administrators, and Assigns: In Witness whereof I have hereunto set my Hand and Seal, this Day of
Witness, C. J. A. H.

Form of Transfer.

Which said Transfer or Assignment shall be produced and notified to the Clerk to the said Commissioners, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money, in a Book or Books to be kept for that Purpose, for which the said Clerk shall be paid such Sum, as the said Commissioners, or any five or more of them, shall appoint, not exceeding the Sum of two Shillings and Sixpence ; and after such Entry made, and not till then, such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon ; and every such Assignee may, in like Manner, assign again, and so toties quoties ; and it shall not be in the Power of the Person or Persons making such Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Assignments to be entered by the Clerk.

XXVI. And be it further enacted, That all and every the Sum and Sums of Money so to be advanced and lent, and Interest thereof, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act ; and all Persons who shall be so possessed of such Securities shall be Creditors in equal Degree, without Preference in respect of the Priority of his, her, or their advancing the Money thereon.

All Monies advanced, with the Interest, shall be paid out of the Rates.

XXVII Provided always, That no Money shall be applied to any of the Purposes of this Act, till all Interest due on the several Sums then owing on the Credit of this Act upon the last half-yearly Day of Payment shall have been discharged, or Money sufficient for that Purpose reserved in the Hands of the Treasurer to the said Commissioners.

Proviso.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, by Writing under their Hands, to give Liberty and Licence to any of the Proprietors and Inhabitants within the said Town, or Liberties thereof, or their Builders or Workmen, to make proper Inclosures before their respective Houses, in order to the pulling down, rebuilding, or repairing, the same, or for making or repairing any Vault, Drain, or Building, belonging thereto, and for laying the necessary Materials for the same, and the Rubbish arising therefrom ; for which Licence the Sum of two Shillings and Sixpence, and no more, shall be paid to the Clerk to the said Commissioners by the Person to whom such Licence shall be granted ; and no Person or Persons acting under such Licence, and in pursuance thereof, shall, during the Time to be limited in such Licence, be subject or liable to any of the Penalties aforesaid.

Commissioners may give Liberty to erect Fences for inclosing building Materials, &c.

XXIX. And, in order to prevent all Obstructions, Incroachments, and Nuisances, within the Streets, Lanes, and other publick Passages, within the said Town and Liberties of Cardiff, be it further enacted, That if any Person or Persons, after the passing of this Act, shall carry, run, drive, or draw, or cause to be carried, run, driven, or drawn, on any of the Foot-pavements within any of the aforesaid Streets and Lanes, and publick Passages, any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage whatsoever ; or shall wilfully ride, lead, or drive, any Horse, Ass, or other Cattle, Coach, Chaise, or other Carriage, upon any Part of the said Foot-pavement ; or shall throw or lay, or shall permit and suffer to be thrown or laid, any Ashes, Dirt, Dust, Offals, Blood, Soil, Straw, Dung, or any Filth or Annoyance whatsoever, in any of the said Streets, Lanes, or publick Passages, within the said Town ; or shall leave, or shall cause to be left, any Carriage, Horse, or Beast, or any Timber, Stone, Log of Wood, Lime, Mortar, Cask, Tub, or Vessel, or any other Thing which may occasion any Annoyance, Nuisance, or Obstruction, in any of the said Streets, Lanes, or publick Places, within the said Town or Liberties ; or shall sift, screen, or slack any Lime, (except within such Inclosure as aforesaid), in any Street, Lane, or publick Place, within the said Town ; or if any Person or Persons shall kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Sheep, Pig, or other Cattle, or cause the same to be done, in any open or publick Street, Lane, or Passage, within the said Town, so as to incommode, stop, hinder, obstruct, or endanger, any Person or Persons whatsoever, either residing in the said Town or Liberties, or passing either on Horseback, or in Carriages, or on Foot, or shall permit or suffer his, her, or their Swine to go at large in any of the said Streets, Lanes, or other publick Places, within the said Town or Liberties, and shall be convicted thereof before any Justice of the Peace for the said Town, by the Oath of One or more Witnesses or Witnesses (which Oath such Justice is hereby empowered to administer), every Person, so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay to the said Commissioners, or any five or more of them, any Sum not exceeding the Sum of twenty Shillings.

Annoyances, &c. how to be prevented.

XXX. And be it further enacted, That in case the Owner or Owners of any House, Shop, Warehouse, or other Building whatsoever, which shall adjoin or be contiguous to any of the Streets, Lanes, and other publick Places, within the said Town of Cardiff, or Liberties thereof, intended by this Act to be new-paved, lighted, and cleaned, shall not, at his or their own Costs and Charges, within one Month next after Notice in Writing shall be given to them respectively, or left at such House, Shop, Warehouse, or other Building, under the Hands of any five or more of the said Commissioners, cause all the Water descending or coming from the Roofs, Eaves, Cornices, and Penthouses, of his, her, or their House, Shop, Warehouse, or other Building respectively, to be conveyed into the common Channels or Drains by proper and sufficient Pipes or Trunks to be fixed to the Sides of every such House, Shop, Warehouse, or other Building respectively, in such Manner as in such Notice shall be expressed or directed, or shall not,

Owners of Houses, &c. to place Pipes on the Sides of their Houses for carrying off the Water.

after such Notice as aforesaid, cause all Water to be conveyed from the Roofs, Eaves, Cornices, and Pent-houses, of every such House, Shop, Warehouse, or other Building, as aforesaid, into their own private Grounds, it shall be lawful for the said Commissioners, or any five or more of them, to cause the same to be done; and to levy, or cause to be levied, the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of the Owner, Tenant, or Occupier, of such House, Shop, Warehouse, or other Building, rendering the Overplus (if any be) when demanded, to the Person or Persons whose Goods and Chattels shall be so distrained and sold; or it shall be lawful for such Tenant or Occupier to fix up such Pipes and Trunks, and to deduct and retain the Charges and Expences thereof, and also of any Money which shall or may be levied upon the Goods and Chattels of any such Tenant or Occupier as aforesaid, out of his or her Rent; and every Owner, Proprietor, or Landlord, is hereby required to allow the same accordingly.

Commissioners may take down Signs, &c. in case the Owners shall neglect, after Notice given.

XXXI. And be it further enacted, That in case the Owner or Occupier of any House, Shop, Warehouse or other Building, in the said Town, or Liberties, to which any Sign, Sign-irons, Sign-posts, or any other Posts, Penthouses, Spouts, Steps, Cellar-windows, or Doors going into Cellars, Shop-windows, or other Incroachments, upon any of the Streets, Lanes, Passages, and other publick Places, or any of them, now or may hereafter belong, shall not, at their own Costs and Charges, within ten Days after Notice in Writing shall be given to them respectively, or left at their respective Dwelling-houses, under the Hands of any five or more of the said Commissioners, remove all such Signs, Sign-irons, Sign-posts, and other Posts, Penthouses, Spouts, Steps, Cellar-windows, or Doors going into Cellars, Shop-windows, or other Incroachments, or otherwise alter and reform the same, in such Manner as in such Notice shall be expressed or directed, it shall be lawful to and for the said Commissioners, or any five or more of them, to cause the same to be done, and to levy, or cause to be levied, the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Owner or Occupier, together with the Charges of such Distress and Sale, rendering the Overplus (if any be) when demanded, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

How new Foundations are to be State.

XXXII. And be it further enacted, That no Head Builder, Master Carpenter, Mason, or Workman, shall, in rebuilding or new-fronting any old Building, situate in or near any Street, Lane, or publick Way, within the said Town or Liberties, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story Posts supporting the Fronts thereof, so as to obstruct or narrow the Passage through the same, upon Pain of forfeiting, for every such Offence, the Sum of twenty Pounds; and the Owner of such Building shall forfeit and pay the Sum of forty Shillings for every Month such Obstruction or Incroachment shall remain by the Foundation of such Building being brought forward as aforesaid, unless allowed by the Commissioners, or any five or more of them; and it shall and may be lawful to and for the said Commissioners, or any five or more of them, to order the same to be taken down, altered, or regulated, in such Manner as they, or any five or more of them, shall think proper.

Penalty on obstructing Persons in their Duty.

XXXIII. And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, obstruct, hinder, or molest, the said Commissioners, or any of them, or any Surveyor or Surveyors, or other Officer or Officers, Person or Persons whomsoever, who are or shall be employed to put this Act in Execution, in the Performance or Execution of his or their Duty; every such Person and Persons so offending shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of forty Shillings,

Footways to be swept every Day, (Sundays excepted.)

XXXIV. And be it further enacted, That every Occupier of any House or Tenement within the said Town, and (in respect to Houses let to Inmates) every House Owner shall, once in every Day, (Sundays excepted), between the Hours of Eight and Ten of the Clock in the Forenoon of each Day, scrape, sweep, and cleanse, the Footway all along the Front and Sides of their respective Houses or Tenements, or cause the same to be scraped, swept, and cleansed; and, in Default thereof, shall, for every such Offence, forfeit and pay any Sum of Money not exceeding five Shillings, nor less than one Shilling.

Commissioners may act as Justices.

XXXV. And be it further enacted, That it shall and may be lawful for any Commissioner appointed, or to be elected, to put this Act in Execution, who is, or shall be, a Justice of the Peace for the said Town of Cardiff, or for any County, Riding, Division, City, Liberty, Town, or Place, to act as a Justice of Peace within his Jurisdiction, for putting in Execution the several Powers and Authorities granted by this Act, notwithstanding his being a Commissioner.

Charges of the Act how to be paid.

XXXVI. And be it further enacted, That out of the first Monies arising by virtue of this Act, the said Commissioners, or any five or more of them, shall, in the first place, pay and discharge all the Expences attending the procuring and passing this Act.

Writings to be without Stamps.

XXXVII. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security, for the borrowing of Money, or any other Writing whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

Penalties and Forfeitures how to be recovered and applied.

XXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or incurred, for the Recovery and Application whereof no particular Method is already directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the said Town of Cardiff, or any other County, Riding, Division, Liberty, Town, or Place, where the Offender shall be, as the Case shall happen; all which Warrants such Justice or Justices is and are hereby impowered and required to issue, upon the Information of one or more Witnesses or Witnesses, upon Oath (which Oath such Justice or Justices is and are hereby impowered and required to administer); and such Penalties and Forfeitures, when recovered, after rendering the Overplus, (if any) upon Demand, to the Party or Parties whose Goods and Chattels shall be so distressed and sold, the Charges of such Distress and Sale being first deducted, shall go, one Moiety to the Informer or Informers, and the other Moiety shall go and be applied to and for the Purposes of this Act; and in every Case where Distress is directed to be taken by this Act.

Act, and sufficient Distress shall not be found, and such Penalties and Forfeitures shall not forthwith be 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 or Place, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor less than fourteen Days, or until such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

XXXIX. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and 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; (*videlicet*)

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ of his Majesty's Justices of the Peace for the Town of *Cardiff*, in the County of *Glamorgan*, or County of _____ either on his own Confession, or on the Oath of one or more credible Witnesses, [*as the Case shall be*] by virtue of an Act, made in the fourteenth Year of the Reign of His Majesty King *George* the Third, For better paving, cleansing, and lighting the Streets, Lanes, and publick Passages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuisances and Annoyances therein; [*specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be.*]

Form of Conviction.

Given under my Hand and Seal, the Day and Year above written."

XL. And be it further enacted, That if any Person or Persons shall think him, her, or themselves, aggrieved by any Rate or Assessment to be made as aforesaid, he, she, or they, shall and may apply for Relief to the said Commissioners, at any Meeting to be held within one Calendar Month after Demand made of such Rate or Assessment, and the said Commissioners, other than and except such Commissioners as may be interested in the Premises, are hereby authorized and impowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them, or any five or more of them, shall seem necessary; and if such Person shall not be satisfied with the Determination of the said Commissioners, he shall, notwithstanding, be obliged to pay such Rate or Assessment, and then, upon an Appeal to the General Sessions of the Peace to be holden for the Town of *Cardiff* aforesaid, next after the Payment of such Rate or Assessment, or next after making the Distress for such Rate or Assessment, it shall and may be lawful for the Justices of the Peace, or the major Part of them then assembled, to cause so much Money to be returned to the Appellant or Appellants, as shall appear to the said Justices to have been overpaid by such Appellant or Appellants respectively, and to make such other Order therein as to them shall seem meet, which Order shall be final and conclusive to all Parties; or if any Person or Persons shall think him, her, or themselves, aggrieved by any other Thing done in pursuance of this Act, he, she, or they, may appeal as aforesaid, within six Calendar Months next after the Cause of Complaint shall arise; and it shall and may be lawful for the said Justices, or the major Part of them, assembled in such Sessions, to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them, in their Discretion, shall seem reasonable; and, by their Order or Warrant, to levy the Costs which 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 of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale; all which Determinations of the said Justices shall be final and conclusive to all Parties concerned.

Persons aggrieved may appeal to the Quarter Sessions.

XLI. And be it further enacted, That no Order, Conviction, Judgment, or other Proceedings, to be had or made in pursuance of this Act, shall be quashed or vacated for want of Form, nor shall be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same deemed a Trespasser or Trespassers, on account of any Want of Form in or Defect of Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damages in an Action upon the Case.

Proceedings not to be quashed for want of Form, nor removable by *Certiorari*.

XLII. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action, for any such Irregularity as aforesaid, Trespass, or other wrongful Proceedings, by virtue of this Act, if Tender of Amends shall be made by or on Behalf of the Party or Parties who shall or may commit, or cause to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought.

Plaintiff not to recover if Tender of Amends have been made.

XLIII. And be it further enacted, That the said Commissioners, or any five or more of them, are hereby authorized and impowered, from Time to Time, to appoint such Person or Persons as they shall think fit, effectually to carry on Prosecutions for Offences committed against this Act; and that in case any Action or Prosecution shall be commenced or prosecuted for any Offence committed against this Act, under the Authority and by the Direction of the Commissioners, or any five or more of them, as aforesaid, that then the said Commissioners, or any five or more of them aforesaid, shall, out of the Monies arising by this Act, allow and pay to the Prosecutor so much as the Costs allowed by Law shall fall short of reimbursing him his just and reasonable Expences: And that if any Action, Suit, or Prosecution, Rule, or Order

Expences for the Prosecution of Offences against this Act how to be defrayed.

Order of Court, shall be brought, commenced, prosecuted, or obtained, against any of the said Commissioners, or any of their Collectors or other Officers, for any Thing done by the Direction of the said Commissioners, or any five or more of them, as aforesaid, in pursuance of this Act; that then, and in every such Case, the said Commissioners, or any five or more of them, shall, out of the Monies arising by this Act, allow and pay to such Commissioner or Commissioners, their Collectors, or other Officers, all such reasonable Costs, Charges, and Expences, as they or any of them shall or may sustain, or be put unto, by reason or means thereof.

Limitation of Actions.

General Issue.

Treble Costs.

Publick Act.

XLIV. And be it further enacted, That if any Action or Suit shall be brought against any Person for any Thing done in pursuance of this Act, such Action shall be commenced within six Calendar Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Glamorgan*, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

XLV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and all other Persons, without specially pleading the same.

C A P. VIII.

An Act to explain and amend two Acts, made in the tenth and twelfth Years of his present Majesty's Reign, for paving, lighting, and watching, the Town of *Plymouth*, in the County of *Devon*; and for regulating the Carmen and Porters within the said Town.

Preamble.
Act 10 Geo. 3.

‘ WHEREAS an Act passed in the tenth Year of the Reign of his present Majesty, intituled, *An Act for paving, lighting, and watching the Town of Plymouth, in the County of Devon; and for regulating the Carmen and Porters within the said Town*: And whereas the said Act was explained and amended by another, passed in the twelfth Year of the Reign of his said Majesty: And whereas great Doubts and Disputes have nevertheless arisen touching the Limits to which the Assessments for the Purposes of the said Acts do or ought to extend, whereby the Execution of the said Acts hath been, and is still likely to be greatly impeded: And whereas the said Acts would be more beneficial to the Inhabitants of the said Borough, and to other Persons resorting thereto, if some Amendments were made to the said Acts in this and other Respects; 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 to quiet the present, and to prevent future Disputes, all Rates made for the Purposes of the said Acts, since the passing of the said Act of the twelfth Year of the Reign of his said Majesty, shall be, and the same are hereby declared to be legal Rates; and that, from and after the twenty-fifth Day of *March*, in this present Year, none of the Lands, Tenements, or Hereditaments, which were assessed to the Land Tax for the said Borough for the Year one thousand seven hundred and sixty-seven, under the several Descriptions expressed in the Schedule hereunto annexed, shall be included in any Assessment under this and the said Acts, other than the special Rate herein-after mentioned; save and except always thereout such Lands and Tenements as shall consist of Houses and Buildings, and such Court-yards and Gardens, as may be thereunto adjoining and belonging, which shall be contiguous to some Street within the populous or Town Part of the said Borough, or situate so that there be no greater Distance than one hundred Feet from some Street within the populous or Town Part of the said Borough, to the nearest of such Houses or Buildings, or Court-yards or Gardens thereunto adjoining and belonging; nor from these to such as shall be next succeeding, and so on from one House or Building, or Court-yard or Garden thereunto adjoining and belonging, to the next or nearest, in whatsoever Direction the same may lie, or how far soever the same may extend in the said Borough; and that the Premises so excepted, and all the other Lands, Tenements, and Hereditaments, within the said Borough, shall be liable to the said Assessment; and that the Premises which shall be so assessed shall be rated in Manner following; that is to say, Lands, Tenements, and Hereditaments, to the Assessment on the Owners thereof; and Houses and Buildings, and such Court-yards and Gardens as may be thereunto adjoining and belonging to the Assessment on the Occupiers; and that no Person shall, as a Reliant, be assessed by virtue of this and the said Acts, on account of Residence on any Tenement hereby declared not to be assessable; and that the Lands, Tenements, and Hereditaments, mentioned in the said Schedule, shall be taken to have been assessed to the Land Tax for the said Borough for the Year one thousand seven hundred and sixty-seven, under the Descriptions therein expressed.

Former Rates declared legal, and Limits settled pursuant to a Schedule.

Tenements of certain Descriptions excepted out of the Schedule, and made assessable.

Power to make a Special Rate for the defraying the Expences of the Act, &c.

II. Provided always, That it shall and may be lawful for the Commissioners for executing the said Acts, and they are hereby required, within three Months after the passing of this Act (in case the unapplied Produce of the Rate made for the general Purposes of the said Acts, and commencing at *Lady-day*, one thousand seven hundred and seventy-three, and ending at *Lady-day* in this present Year, shall be insufficient for defraying the Expences of the obtaining and passing of this Act, and the Expences incurred in

in defending and obtaining Judgment on the several Indictments which were preferred at the Affizes for the County of *Devon*, in the Year one thousand seven hundred and seventy-two, against the Inhabitants of the respective Parishes within the said Borough, for not repairing certain Streets therein), to order and direct a Special Rate (over and above the yearly Rate which the said Commissioners are impowered to make, for effecting the general Purposes of the said Acts) to be made on the several Owners and Occupiers of Lands, Tenements, and Hereditaments, throughout the whole Liberty of the said Borough, in order to raise a Sum sufficient to defray the Expences above mentioned; which Special Rate shall be framed, published, and collected, under the like Regulations as the said yearly Rate, except only that the whole of such Special Rate shall be collected at one Payment, and not by quarterly Portions; and the Sums arising from such Special Rate, together with the unapplied Produce of the aforesaid Rate, commencing as aforesaid, and ending as aforesaid, the said Commissioners are hereby impowered and required, within six Months after the passing of this Act, to apply towards the defraying of the Expences aforesaid, and to no other Use or Purpose whatsoever.

III. And be it enacted, That all publick Ways within the Town, Part of the said Borough, which are commonly called, known, and distinguished by the Names of Streets, shall be deemed to be Streets within the meaning of the said Acts, in Contradistinction to Highways; and that all publick Ways which shall be adjacent to the said Streets, and contiguous to Lands which shall be assessable to the yearly Rates for the general Purposes of this and the said Acts, shall be deemed Lanes and Passages, within the Meaning of the said Acts, in Contradistinction to Highways, so far as the said Lands shall extend towards the extreme Parts of the said Borough, and no farther.

IV. And whereas there are two Parishes within the said Borough: And whereas it is provided by the said Act, passed in the tenth Year of his said Majesty's Reign, that the Proprietors of Lands, Tenements, and Hereditaments, within the said Town, when and so often as they shall be rated to the repairing of the Pavements of the said Town, shall be discharged from the Payment of any Rate or Rates, Assessment or Assessments, that shall be made for the repairing of the Highways within the said Borough: And whereas the said Proprietors (not being expressly discharged from Statute Labour, or from the Payment of the Composition-money in lieu thereof), as well as other Inhabitants and Occupiers of Lands, Tenements, and Hereditaments, within the said Borough, are still liable to be called out to repair the Highways of that Parish wherein they respectively reside, or to the Payment of Composition-money in lieu thereof, notwithstanding their being assessed to the Purposes of the said Acts, which is a great Burthen to the said Occupiers, and extremely grievous to the poorer Sort of Inhabitants; for effectual Remedy thereof, be it enacted, That so much of the said Act as relates thereto, shall be repealed; and that from and after the passing of this Act, the said Parishes shall not (in respect of the Repair of the Highways, or the Power of the Surveyor or other Officer having the Superintendance thereof, under the Authority of any general Act of Parliament for the Repair of the Highways of this Kingdom) be taken to extend to such Lands, Tenements, or Hereditaments, as shall be assessable to the yearly Rates for the general Purposes of this and the said Acts, or to the said Streets, Lanes, or Passages, neither shall the said Lands, Tenements, or Hereditaments, nor the said Streets, Lanes, or Passages, be considered (in respect of the Repair of the Highways, or the Power of the Surveyor, or other Officer having the Superintendance thereof, under the Authority of any general Act of Parliament for the Repair of the Highways of this Kingdom) as lying in any Parish, Township, or Place, whatsoever, but the same shall be subject only to Regulations under this and the said Acts; nor, on the other hand, shall the Powers of the said Commissioners, touching the Execution of this and the said Acts, extend to any Distance beyond the Lands which shall be assessable to the said yearly Rates, and the said Streets, Lanes, and Passages: Provided nevertheless, That the present and all future Surveyors, under the Authority of the general Act of Parliament, for the Repair of the Highways of this Kingdom, shall proceed to do their Duty in the Parts of the said Borough not hereby declared to be exempt from their Superintendance.

V. And whereas Difficulties and Inconveniencies attend the Method prescribed by the said Act for the Recovery of Sums of Money which have become due by reason of Rates, or otherwise, by virtue of the said Acts; be it enacted, That any Sum of Money which, by reason of any Rate, hath become due from any Owner or Owners of Lands, Tenements, or Hereditaments, assessed by virtue of the said Acts, and remains unpaid, or which shall become due from any Owner or Owners of Lands, Tenements, or Hereditaments, which shall be assessed by virtue of this and the said Acts, shall and may be paid by any one Occupier thereof, and shall and may be recovered of any one Occupier, in like Manner as the Rates are directed to be recovered by the said first-mentioned Act; and such Occupier shall be at Liberty, and is hereby impowered, to deduct and detain out of his or her Rent, such Sum of Money as he or she shall pay, as aforesaid, unless there be an Agreement subsisting between such Occupier and his or her Landlord or Landlords to the contrary; and that any Sum of Money, which by reason of any Rate, or otherwise, by virtue of the said Acts, hath or shall become due from, or hath been, or shall be, received or collected by any Person who hath happened to die, or who shall happen to die, before Payment of the same, shall be deemed to be due from, and shall be recoverable of, his or her Executor or Executors, Administrator or Administrators, in like Manner as it would have been of the deceased Person, in case he or she had happened to have lived, or by Action of Debt to be brought in the Names of any two or more Commissioners, in pursuance of an Order to be made for that Purpose, at some publick Meeting of the Commissioners for executing this and the said Acts.

VI. And whereas a Sum of Money hath been borrowed by virtue of the said Acts: And whereas the Remedy, by ordinary Course of Law, to compel the Payment of the Interest due on any Sums of Money, which have been, or may be, borrowed by virtue of the said Acts, and the making of Rates for that Purpose may be very expensive and inconvenient to the Creditors of whom the said Sums have been or may be borrowed; be it enacted, That so long as there shall be any Money remaining unpaid, which shall

have been borrowed and taken up at Interest by virtue of the said Acts, any seven of the said Commissioners shall have Power (any thing in either of the said Acts to the contrary notwithstanding) to make Orders for causing the yearly Rates for the general Purposes of this and the said Acts to be made and collected: And that so long as there shall be any Money remaining unpaid, which shall have been borrowed and taken up at Interest by virtue of the said Acts, and when and so often as any Year shall have expired, for which any Rate shall have been made for the general Purposes of this and the said Acts, and any one of the said Creditors shall request any seven of the said Commissioners to proceed to exercise the Powers vested in them, for causing the said yearly Rates to be made and collected, and the said seven Commissioners shall refuse or neglect to proceed for the Space of one Month after they shall have been so requested, the said Creditor shall be intitled to treble the full Costs of obtaining, serving, and enforcing, a Writ of *Mandamus*, for compelling the said seven Commissioners so to proceed, and shall, by Means of the Rule of Court, by which the said Writ shall be granted, recover of the Persons who shall appear to have neglected or refused to act as aforesaid, the said Costs, together with treble the full Costs of obtaining, serving, and enforcing, the said Rule; and that the same Commissioners, under whose Hands any Order shall have been issued to any Collector or Collectors for collecting and receiving any yearly Rate under this and the said Acts, shall provide, by some Order or Orders, (which shall be irreversible) for the Payment of the Interest due on the said Money once in every Year, the first Payment whereof shall be made within six Months after the passing of this Act; and the Treasurer to the said Commissioners for the Time being shall accordingly pay the same, pursuant to such Order or Orders, without Fee or Reward from any Creditor who shall make Demand thereof: And in case the said Commissioners shall omit or refuse to make and enforce such Order or Orders, as aforesaid, whereby there shall be a Failure of the Payment of the Interest due on any Sum of Money, which hath been, or may be, borrowed by virtue of the said Acts, it shall and may be lawful for any Creditor who shall have been injured thereby to recover of any Person or Persons who shall have issued such Order under their Hands for collecting and receiving, as aforesaid, and who shall have omitted or refused to make and enforce such Order or Orders, as aforesaid, for the Payment of the said Interest, treble the Amount of the Interest due to such Creditor, together with treble the full Costs of Suit, by Action of Debt; and in case, at the Time of making Demand as aforesaid, of the Interest due to any Creditor, as aforesaid, there shall be by virtue of the said yearly Rate in the Hands of the said Treasurer Money sufficient to satisfy such Demand, and the said Treasurer shall not comply therewith, or shall exact any Fee or Reward for complying therewith, it shall and may be lawful for any Creditor making such Demand to recover of the said Treasurer treble the Amount of the Interest due to such Creditor, together with treble the full Costs of Suit by Action of Debt.

Part of Acts 10 and 22 Geo. 3. repealed.

VII. And be it further enacted, That so much of the said Act, passed in the tenth Year of his said Majesty's Reign, as enables the said Commissioners to contract for cleansing the Streets, Lanes, and Passages, within the said Borough, and also so much of the said Act, passed in the twelfth Year of the Reign of his said Majesty, as impowers the Commissioners to dismiss the Scavengers, or other Officers, appointed by the Mayor, Recorder, Aldermen, and Common Council, of the said Borough, for the Purpose of sweeping, cleansing, and carrying away, the Ashes, Rubbish, Dust, Dung, and Filth, from the said Streets, Lanes, and Passages, and requires the said Mayor, Recorder, Aldermen, and Common Council, to appoint others in the Stead of those so dismissed, be repealed: Provided nevertheless, That the said Commissioners shall have Power to order the said Streets, Lanes, and Passages, to be watered so often as they shall think fit, and to defray the Expence thereof out of the Money to be raised by virtue and for the Purposes of this and the said Acts.

Commissioners not personally answerable for Contracts, &c.

VIII. And be it further enacted, That no Contract already made by the said Commissioners, or which shall be made by them, for any of the Purposes of the said Act, shall be binding upon the said Commissioners personally as Individuals in their private Capacity, neither shall they be personally answerable for any Sum of Money borrowed and taken up at Interest under the Authority of the said Acts, but only as Trustees for carrying the same into Execution; and that Actions and Suits, in the Names of any two or more Commissioners under the said Acts shall and may be maintained on Contracts, which have been, or shall be, made between the Commissioners under the said Acts and any Person or Persons for the Purposes of the said Acts, any such Action or Suit being commenced by virtue of an Order of such Commissioners made for that Purpose at some publick Meeting; and all Sums of Money which shall be recovered by them in such Action, shall be applied to the general Purposes of the said Acts.

Commissioners indemnified out of the Rates.

IX. And be it enacted, That all Money expended by, or recovered against, any Commissioner or Commissioners, touching any Action or Prosecution by the said Acts, directed to be brought by them, or touching the Defence of any Action, Prosecution, or Appeal, which hath been or shall be brought against them, or any other Person or Persons employed by or under them, on account of any Rate, or any Matter or Thing done or omitted (except the omitting to cause Rates to be made and collected, and the Interest of Money borrowed to be paid as aforesaid), in the Execution or Performance of his or their Office or Offices, Employment or Employments, under this or the said Acts, or in pursuance of any Order or Orders of the said Commissioners, or any seven or more of them, under the Authority of the said Acts, (which Money shall not be recovered again by such Commissioner or Commissioners, or other Person or Persons, from any such Defendant or Defendants, Plaintiff or Plaintiffs) shall be borne and defrayed out of the Money arising from the yearly Rates under this and the said Acts.

Repealing the Clause in the 10th Year of his Majesty's Reign, empowering the Commissioners to repair the

X. And be it further enacted, That so much of the said first-mentioned Act as impowers the Commissioners to employ their Pavior or Pavors to repair the Pavement injured by the bursting of Water-pipes, and to compound with Owners of Quays and Water-pipes respectively, shall be, and the same is hereby repealed; and that from and after the passing of this Act, and till the Determination of the Commissioners mentioned in the said Act, passed in the twelfth Year of his said Majesty's Reign, shall take place, the Provision of the said last-mentioned Act, for making reciprocal Satisfaction between the Owners of

Water-

Water-pipes and Persons chargeable with the Repair of the Pavement, shall operate and be in force, as between the Owners of Waterpipes and the said Commissioners; and that the Amount of the Expences incurred by Damage done to any Water-pipe, by Persons employed about any Pavement or Drain by Order of the said Commissioners, may be demanded of the Treasurer to the said Commissioners for the Time being; and the said Commissioners shall order their Treasurer to pay such Sums of Money as shall from Time to Time be demanded of him on that Account, and he shall pay the same accordingly out of the Money which shall be in his Hands for the general Purposes of the said Acts at the Time of making such Demand, or out of the first Money of the like Kind which he shall receive; and the Amount of the Expences incurred by Damage done by the breaking or bursting of any Water-pipe to any Pavement or Drain, under the Superintendance of the said Commissioners, shall be paid by the Owner or Owners of such Water-pipe to such Person as the said Commissioners shall appoint to receive the same.

Pavement of the
Parade, &c.

XI. And be it enacted, That it shall and may be lawful for the Mayor and Justices of the said Borough, at the General Quarter Sessions of the Peace to be held in and for the said Borough, as often as they shall see occasion, to make Rules and Orders for the better governing and regulating of all Porters, Carters, and Draymen, and their Carriages, employed in carrying any Kind of Goods for Hire from the Quays to any Part of the said Borough, and also from one Part of the said Borough to another Part of the same: And the Justices of the said Borough are hereby impowered and required, at their said Sessions, to license all such Hackney Chairs as shall be kept and used for Hire within the said Borough, and shall and may fix and ascertain such Rates and Prices for the Carriage of the same, as to the said Justices shall seem proper; and if any Hackney Chairman within the said Borough shall refuse, at any reasonable Time, to go at, or shall exact more for his Hire than the Rate or Price fixed by the said Justices, or shall keep or use any Chair for Hire within the said Borough, unless licensed as aforesaid, he shall forfeit, for every such Offence, a Sum not exceeding ten Shillings.

Porters, Car-
men, and Chair-
men regulated.

XII. And be it further enacted, That from and after the first Day of July in this present Year, all Carriages used in conveying Goods, Wares, Merchandise, or other Commodities, landed at any Quay within the said Borough, from the said Quay, through the Streets, Lanes, or Passages, herein-before described, whether for Hire or not; and all Waggon, Wains, Carts, Cars, or Drays, kept by any Person or Persons residing within the said Borough, or elsewhere, and used for the carrying of any Thing whatsoever from one Part of the said Borough to any other Part of the same, through any of the said Streets or Passages, whether for Hire or not, shall have Wheels made with the Soles or Fellies six Inches broad at the least, and with a flat even Surface in all Parts of such Soles or Fellies; and such of the said Carriages, Waggon, Wains, Carts, Cars, or Drays, as shall have four Wheels, shall be so constructed as to roll a Surface of nine Inches on each Side; and if any such Carriage, Waggon, Wain, Cart, Car, or Dray, as aforesaid, shall be drawn through any of the said Streets, Lanes, or Passages, contrary to the said Direction, the Owner or Driver thereof shall, for every such Offence, forfeit a Sum not exceeding twenty Shillings.

Carriages used at
the Quays to
have Wheels six
Inches broad,
&c.

XIII. And be it enacted, That the said Commissioners, or any seven or more of them, shall have Power to cause to be placed on a conspicuous Part of any one or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance, of each of the said Streets, Lanes, and Passages, the Name by which each respective Street, Lane, or Passage, is usually called or known; and also may cause every House, Shop, Warehouse, or Building, in each of the said Streets, Lanes, and Passages, to be marked or numbered, in such Manner as they shall think most proper for distinguishing the same, and the Expences attending the same shall be paid out of the Money arising from the yearly Rates under this and the said Acts; and if any Person or Persons shall maliciously destroy or deface any such Name, Mark, or Number, or any Part thereof, or shall maliciously cause or procure the same to be done, every such Person shall forfeit a Sum not exceeding ten Shillings.

Commissioners
may order the
Names of Streets
to be put up, and
Houses, &c. to
be numbered.

XIV. And be it enacted, That in case the Time limited by the said Act passed in the twelfth Year of his said Majesty's Reign, for the Supply of any Vacancy or Vacancies among the thirty-eight Persons directed by the said Act to be added to the Mayor, Recorder, Aldermen, and Common Council, as Commissioners for executing the said Act, shall lapse, it shall be lawful to proceed at any subsequent Period, as soon as may be, to an Election for that Purpose; to which Election there shall be the like Requisites, in all other Respects, as prescribed by the said Acts; and that no Act of any subsisting Commissioners shall be invalid on account of any Vacancy or Vacancies whatsoever, provided there be a sufficient Number as specified in this and the said Acts, for effecting the several Purposes thereof; and the Persons who shall be elected by virtue of the Provision hereby made, shall have the like Power and Authority in the Execution of this and the said Acts, as any other of the said Commissioners.

Provision for the
Supply of Va-
cancies among
the Commis-
sioners.

XV. Provided always, That no Meeting under this and the said Acts shall be adjourned for a longer Time than eight Days; and that in case there shall not be a sufficient Number of the said Commissioners to hold a Meeting within half an Hour after the Time appointed for such Meeting, it shall and may be lawful for any two of the said Commissioners, or the Clerk to the said Commissioners, to adjourn; and that no Order or Orders made, or to be made, by virtue of this or the said Acts, shall be revoked, unless there be seven or more of the said Commissioners present at the revoking of such Order or Orders than were present at the making of the same.

Persons aggrieved
may appeal.

XVI. And whereas the Appeal to the Quarter Sessions for the County of Devon, concerning any Matters within the said Acts greatly obstructs the Execution thereof, and occasions a Waste of the Money raised for the Purposes of the said Acts, as well as much Vexation and Expence to the Land Owners and Inhabitants within the said Borough: And whereas the Appeal to the Quarter Sessions for the Borough of Plymouth concerning the said Matter at present is not sufficiently remedial; be it enacted, That so much of the said Acts as gives a Power of appealing shall be repealed; and that if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Rate hereafter to be made

Power of Appeal
to Quarter Ses-
sions for the
County, by for-
mer Acts, re-
pealed;

and Persons ag-
grieved by any
Rate, may ap-
peal to the Quar-
ter Sessions for
the Borough.

in pursuance of this and the said Acts, such Person or Persons shall be at Liberty to appeal to the next Court of Quarter Sessions of the Peace which shall be held in and for the said Borough (whether originally or by Adjournment), after such Rate shall have been published in the Parish Churches of the said Borough, unless such Court shall be held within twenty-eight Days after such Publication, in which Case the Appeal shall be made to the next Court to be held as aforesaid, after the Expiration of the said twenty-eight Days, such Appellant or Appellants first giving Notice in Writing to the said Commissioners, or their Clerk, of his, her, or their Intention of bringing such Appeal; or if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done or omitted in the Execution of this and the said Acts, for which no particular and effectual Method of Relief is herein or therein appointed, such Person or Persons shall be at Liberty to appeal to the next Court of Quarter Sessions of the Peace which shall be held in and for the said Borough (whether originally or by Adjournment), after such Cause of Appeal shall have arisen, such Appellant or Appellants giving Notice, in Writing, to the said Commissioners, or their Clerk, of his, her, or their Intention of bringing such Appeal, and of the Matter thereof; and the Justices at the Court of Quarter Sessions of the Peace in and for the said Borough, shall have Power to hear and determine the said Appeals in a summary Way, and to order the Assessors to amend the said Rates in like Manner as the said Commissioners may do by virtue of the said first mentioned Act, and as shall be necessary for giving Relief, without quashing the same; and the said Justices shall have Power to award such Costs to the Party or Parties appealing or appealed against as they the said Justices shall think proper; and their Determination in all Appeals touching any Rate, or any Thing whatsoever done, or omitted to be done, under this or the said Acts, shall be binding, final, and conclusive, to all Intents and Purposes: And in case any Rate or Thing done, or omitted to be done, under this or the said Acts, shall be unappealed against, after the Time hereby limited for bringing Appeals, such Rate or Thing done, or omitted to be done, shall be deemed legal in every Respect whatsoever; provided that the Justices of the Peace in and for the said Borough for the Time being shall not act as Commissioners for putting this and the said Acts in Execution; any Thing herein or therein contained to the contrary thereof in any wise notwithstanding.

Election of
Commissioners,
and their Acts,
and the former
Statutes con-
firmed, and this
Act.

XVII. And be it further enacted, That the Election of the thirty-eight Persons directed by the said Act, passed in the twelfth Year of his said Majesty's Reign, to be added to the Mayor, Recorder, Aldermen and Common Council of the said Borough, as Commissioners for putting the said Acts in Execution, and all Acts done by the said thirty-eight Persons, or any of them, as Commissioners under the Authority of the said Statutes, shall be, and the same are hereby recognized and confirmed, as legal in every Respect whatsoever; but nevertheless without Prejudice to any Case wherein a supposed Right of Action hath accrued, and an Action hath been brought. And that all and every the Clauses, Articles, Provisions, Penalties, Forfeitures, Matters, and Things, in the said Acts contained, except such and so many of them as are hereby repealed, altered, or varied by this present Act, shall be, and continue, in as full Force and Effect, as if the same were repeated herein, and shall, to all Intents and Purposes be considered as Parts hereof, and the Whole shall be taken together and construed as one Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

Publick Act.

The SCHEDULE referred to by this ACT.

NO Place Hospital.

Mr. Tolcher's House in Stonehouse Lane.
Mrs. Vincent's House.
Mr. George Jago, for his House and Rope Yard.
Mr. Robinson, for his Mill.
Mr. Lewis, for his Tan Yard.
William Moore, for three Meadows.
Richard Hambly, for Line's Part, two Fields.
William Shepherd, for Oil Mills and Dwelling-house.
William Lambell, for Passage-house.
Samuel Lang's Dwelling-house.
William Lambell, for his Dwelling-house.
William Lambell, for House and Yard.
Robert Gaudy, for House and Garden.
Michael Fanning's House, late Philip's.
Ditto, his Houfe.
Nathaniel Olver's House, at Catdown.
Mr. William Perry, for the Paper Mills.
Mrs. Lake, for her House.
The Reverend Mr. Mudge, for the Parish Tithe.
Thomas Bews, Esq; for late Vailor's Field.
Ditto, for late Town's Field.
Ditto, for Cook's Path Field.
Ditto, for Hopkin's Field.
Ditto, for another ditto.
Ditto, for the Banks.

Ditto, for his Field near Catdown.
Ditto, for late Crab's two Fields.
Ditto, for Harris's Field.
Ditto, for a small Field.
Ditto, for his Lands at Pennycomquick.
Gilbert Dick, for Thomas Veal, Esq; for Smith's Way Field.
Ditto, for ditto, for Hoe Field, and Shepherd's Meadow.
Ditto, for two Fields near the Hospital.
Mr. Clark, for the Commissioners for Prisoners of War, for a Meadow.
Ditto, for a Field adjoining the Old Mill Prison.
Mr. Clark, for late Mr. Joseph May's Field.
Ditto, for another ditto.
Mr. John Bicknell, for John Morshhead, Esq; four Fields at Lipson.
Mr. Joseph Freeman, for two Quillets.
Ditto, for a Field called Trenches.
Ditto, for Atwood's Field.
Ditto, for Maid Cross.
Humphry Hall, Esq; for Harris's, near Pennycomquick.
Ditto, for Harris's Field and Barn Park.
Ditto, for a Field near Gaskin's Gate.
Ditto, for a Field near the Tucking Mills.
Ditto, for ——— Harris, Esq; Barn and Field.
Ditto, for a Field near the Pound.

Mr.

- Mr. *John Arthur*, for *Gibbs's three Fields*.
 Ditto, for *Couche's Field*.
 Mr. *William Moor*, for *Major Saul's Fields*.
 Ditto, for *Motham's Field*.
Richard Beach, Esq; for two Fields, late *Woode's*.
 Ditto, for two Fields and a Barn.
Samuel Peter, Esq; for a Field near *Old Mill Lane*.
 Ditto, for a House and Field, late *Philips's*.
 Ditto, for a Field, late *Yebsey's*.
 Ditto, for late *Fowne's* four Fields.
 Mr. *Dunsterwill*, for *Horseman's Marsh*.
 Ditto, for two Fields in *Stonehouse Lane*.
 Ditto, for a Field in *Old Penny Lane*.
 Ditto, for late *Newton's* Field.
 Ditto, for *Thistle Park*.
Daniel Dyer, for a House and Garden.
 Mr. *Henry Tolcher*, for late *Holmes's* Marsh.
 Mr. *Joseph Tolcher*, for *Couche's Field*.
Addis Archer, Esq; for *Horseman's Marsh*.
 Ditto, for *Addis's* two Fields.
 Ditto, for late *Boyl's*.
 Ditto, for late *Hull's*.
 Ditto, for *Horsman's*.
 Mr. *Orlando Manley*, for Mr. *Dure*, for *Higher Hunfcomb*.
 Ditto, for late *Spurwell's* Field.
 The Reverend Mr. *Bedford*, for Dr. *Young's* four Fields.
 Ditto, for *Berry's Pump Field*.
 Ditto, for his *Tithe*.
 Mr. *Champion*, for late *Barker's*, for *Lipson Meadow*.
 Ditto, for *Bickford's* Tenement and Fields.
 Mr. *Joseph Neiten*, for two Fields, late *Heart's*.
 Ditto, for House and Garden.
 Mrs. *Smith*, for her Fields at *Lipson*.
 Ditto, for her House at *Lipson*.
 Mrs. *Shepard*, for *Doidge's* late Field.
 Ditto, for a Field near *Pennycomquick*.
 Mr. *Simpson*, for the inclosed *Hoe*.
 Ditto, for the East.
 Mr. *Parry*, for two Fields, late *Brown's*.
 Ditto, for two Fields, late *Tancock's*.
 Mr. *Connel*, for *Frankford Gate Meadow*.
 The Reverend Mr. *Warren*, for his House in ditto.
 Mr. *Burt*, for his House in ditto.
 Mr. *Ciely*, for Mr. *Evans's* ditto.
 Ditto, for Mrs. *Morgan's* ditto.
 Mr. *Woolcomb*, for his House in ditto.
 The Reverend Mr. *Doidge*, for his House in ditto.
 Mr. *Freeman*, for his House in ditto.
 Mrs. *Cole*, for her House in ditto.
 Mr. *Sbernback*, for his House in ditto.
 Mrs. *Manwaring*, for Mrs. *Thomas*, for *Bedford's Field*.
 Mrs. *Easton*, for late *Robert's Field*, near *No Place*.
 Ditto, for late *Wallis's Fields*.
 Ditto, for a Field near *No Place*.
William Philips, Esq; for a Field late Mr. *Joys*.
 Ditto, for a Rack Close.
 Ditto, for two Fields at *Cockside*.
 Mr. *Creamer's* House and Garden.
 The Reverend Mr. *Cock*, for *Sanders's Meadow*.
 Ditto, for the Meadow adjoining the House.
 Mr. *Putt*, for *Thomas Veal*, Esquire, for the *West Hoe*.
 Ditto, for ——— *Bastard*, Esquire, *Sheaf*.
 Ditto, for *Thomas Veals*, Esquire, *Boon's Cove*.
 Ditto, for the Quarry at the *West Hoe*.
 Mr. *Robert Baron*, for *Young's Field*.
 Mrs. *Bannick*, for her Rack Close.
 Ditto, for her Field, late *Kalack's*.
- Mrs. *Bannick*, for *Ciely's Field*.
 Ditto, for a Field, in *Old Penny Lane*.
 Mr. *Christy*, for a Field near the *Old Mills*.
 Mr. *Symons*, for late *Brown's Field*.
John Julian, Esquire, for a Field at *Cockside*.
 Ditto, for *Cutiford Tenement*.
 Ditto, for *Netherton's* two Fields.
 Ditto, for *Saltram*.
 Ditto, for late *Motham's Fields*.
 Ditto, for late *Head's Tenement*.
 Ditto, for a Field near *Some Place*.
 Ditto, for three Fields near *Prince Rock*.
 Ditto, for a Field.
 Ditto, for late *Pentyre's Field*.
 Ditto, for late *Burley's Field*.
 Ditto, for late *Noriey's* House and Field.
 Ditto, for *Spurrell's Tenement*.
 Ditto, for *Catdown*.
 Ditto, for *Hawkin's Tenement*.
 Ditto, for three Fields, late *Greeby's*.
 Ditto, for *Mayerofs*.
 Ditto, for a Field near *Andrew's Well*.
 Ditto, for *Martyn's Park*.
 Ditto, for *Smart's* Field, and *Boyl's* three Fields.
 Ditto, for *How's* Field, late *Teat's*.
 Ditto, for House, Limekiln, and Quarry.
 Mr. *John Newton*, for a Field adjoining the *Old Mill Prison*.
 Ditto, for *Mervin's* Field.
 Ditto, for his House and Field near the *Old Mill Prison*.
 Mr. *King*, for *Shoulder Mutton Field*.
 Mrs. *McCarty*, for a Field in *Old Penny Lane*.
 Major *Yeo*, for late *Hancock's* Meadow.
 Ditto, for three Fields, late *Derry's*.
 Ditto, for three Fields, and Part of *Willson's* Meadow.
 Ditto, for *Foot's* Field.
 Mr. *Kingdon*, for Mrs. *Ridout*, for *Woodbridge's* Field.
 Ditto, for late *Hall's* Field.
 Ditto, for *Lewis Jones*.
 Ditto, for *Bath's* four Fields.
 Mr. *Jacobson*, for a Field near *Lady Well*.
 Ditto, for *Martin's* Quillet.
 Ditto, for another Field, late *Hamlyn's*.
 Ditto, for the *Pump Field*.
 Ditto, for a Rope Walk in ditto.
 Mr. *Jago*, for his Rope Walk in *Stonehouse Lane*.
John Morshed, Esquire, for late *Lapthorn's* Field.
John Culme, Esquire, for his House and Willow Plat;
 Ditto, for a Quarry at *Prince Rock*.
 Ditto, for *Freedom* Field.
 Ditto, for *Ridgeway's* and *Sheep Potts*.
 Ditto, for three Fields at *Prince Rock*.
 Ditto, for *Lean's* three Fields.
 Ditto, for *Clay Park*.
 Ditto, for *Stephens's* House and Garden.
 Ditto, for *Walker's* House and Field.
 Mrs. *Deeble*, for *Lavington's* Field.
 Mr. *Mudge*, for a Field near the *Mills*.
 Mrs. *Sugars*, for *Deptford's* two Fields.
 Ditto, for Land by the *Trenches*.
 Mr. *Cally*, for *Martin's* Marshes.
 Mr. *Ham*, for the *Bowling Green, Catdown*.
 Adjutant of the Militia, for *Spark's* two Fields.
 The Widow *Reed*, for her Tenement at *Tothill*.
 Mr. *William Shepherd*, for two Fields, late *Phillips*.
 Ditto, for late *Bingham's* Field.
 Ditto, for his *Wash-house*.
 Mr. *Cole*, for *Samuel Cartor's* Lands, late *Booth's*.
 Mr. *William Blatchford*, for *Lipson Mills*.

Mr. *William Blatchford*, for a Field and Garden.
 The Churchwardens of *Saint Andrews*, for a Burying-place.
 The Commissioners for Prisoners of War, for *No Place*.
 Mr. *Trefusis Lovell*, for *Barnparks*.
 Mr. *John Pole*, for *Spurrell's* late Lands.
 Mrs. *Fry*, for late *Orchard's* Field.
 Mr. *Cobin*, for a Field.
 Mr. *Harris*, for a Field.
 Mr. *Batt*, for two Fields, late *Pearce's*.
 Mr. *Nevertan*, for *Sparks and Trevanion's* Barn and three Fields.
 Mr. *Nathaniel Oliver*, for *Crosse's* Fields.
 Ditto, for *Shepherd's* Tenement and three Fields.
 Ditto, for late *Rafdon's*.
 Ditto, for *Lime Kiln and Quarry*.
 Ditto, for *Catdown*.
 Ditto, for the other Part of *Rafdon's*, being three Fields.

Mr. *Date*, for late *Symkins's* three Fields.
 Ditto, for three Fields, late *Pearce's*.
 Mr. *Sutton*, for late *Gotham's* Field.
 Mr. *William Hancock*, for *Bingham's* House and Field.
 Mr. *George How*, for *Johnson's* Well.
 Ditto, for a Field in *Old Penny Lane*.
 Mr. *Roger Trend*, for late *Martyn's* two Fields.
 Mr. *Lang*, for the *Quarry*.
 Mr. *Kerjwell*, for two Fields and a Barn.
 Mr. *Batt*, for late *Coram's* two Fields and Tenement.
 Mr. *Richard Jeffreys*, for *Teat's* Hill.
 Mr. *William Tuly*, for his *Quarry*.
 Mr. *Marks*, for *Master Ginness's*, for a Field at *Totbill*.
 Mr. *Fanning*, for his *Rope Walk* in *Smart's* Meadow.
 Mr. *Date*, for *Elq; Bostard's* Field near the *Round House*.
 Mr. *Joseph Brent*, for a Field and Cellars at *Cockside*.

C A P. IX.

An Act to continue for a further Time an Act, made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the Fifth Year of the Reign of his present Majesty, intituled, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time.*

Further continued till
 March 1, 1775.

C A P. X.

An Act for reducing the Duty payable upon the Exportation of *Gum Senega*, granted by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for laying certain Duties upon Gum Senega and Gum Arabic, imported into or exported from Great Britain, and for confining the Exportation of Gum Senega from Africa to Great Britain only.*

Preamble.
 Act 5 Geo. 3.

WHEREAS by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for laying certain Duties upon Gum Senega and Gum Arabic, imported into or exported from Great Britain, and for confining the Exportation of Gum Senega from Africa to Great Britain only*, a Duty of one Pound ten Shillings was granted upon every Hundred Weight Avoirdupoise of *Gum Senega*, which should be exported from *Great Britain* to any Part beyond the Seas: And whereas it has been found by Experience, that the said Duty being so high, has induced illicit Traders to export great Quantities of such Gum privately out of this Kingdom into Foreign Parts, without paying any Duty for the same, and also to export such Gum clandestinely from *Senegal*, directly to *Holland*, and other Foreign Parts, contrary to the said recited Act, to the Prejudice of the fair Traders, and to the Loss and Detriment of the publick Revenue; for Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April*, one thousand seven hundred and seventy-four, the said Duty of one Pound ten Shillings for every Hundred Weight of *Gum Senega*, granted by the said recited Act, shall cease, determine, and be no longer paid; and that, in Lieu and in Stead thereof, there shall be paid to his Majesty, his Heirs and Successors, for every Hundred Weight Avoirdupoise of *Gum Senega*, which shall be exported from *Great Britain* to any Parts beyond the Seas, the sum of five Shillings, over and above any other Duty imposed thereon by any former Act of Parliament, and not repealed by this Act, and after those Rates for any greater or less Quantity of such Gum.

After 5 April, 1774, the Duty of 1l. 10s. per Cwt. on Gum Senega to cease; and in lieu thereof 5s. per Cwt. over every other Duty imposed thereon, not repealed by this Act.

The Duty to be collected and applied as by the former Act.

II. And be it further enacted by the Authority aforesaid, That the said Duty by this Act granted, shall be raised, levied, collected, and recovered, by the same Rules and Regulations, and under the like Penalties and Forfeitures, and with the like Allowances, for Goods lost at Sea; and shall be paid and applied in such Manner, and to and for the same Purposes, as the Duty by this Act repealed was raised, levied, collected, recovered, paid, and applied, as fully, to all Intents and Purposes, as if the several Clauses, Powers, and Directions, relating thereto, were particularly repeated, and again enacted, in this present Act.

No Duty to be charged on Gum Senega exported from Great Britain to Ireland by Licence.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to charge the Duty hereby granted upon such *Gum Senega* as shall be exported from *Great Britain* to *Ireland*, by Licence from the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, in pursuance of an Act, made in the Sixth Year

Year of the Reign of his present Majesty, intituled, *An Act for explaining Part of an Act, made in the Second Year of the Reign of His present Majesty, relating to the Removal for Home Consumption of Spirits made for Exportation; for laying an additional Duty upon the Importation of Silk Crapes and Tiffanics; for allowing the Exportation of a certain Quantity of Gum Senega and Gum Arabic to Ireland, free of Duty, for the Use of the Manufacturers there; for permitting the Importation into this Kingdom from the Isle of Man of a certain Quantity of Bugles; and for altering certain Regulations relating to the Tonnage of Ships exporting and importing Spirits.*

C A P. XI.

An Act to allow the Exportation of a limited Quantity of Biscuit and Pease to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there.

WHEREAS by an Act passed in the last Session of Parliament, intituled, *An Act to regulate the Importation and Exportation of Corn*, it was, amongst other things, enacted, That whenever the Price of middling *British* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the same should be intended to be exported, should appear to be at or above the Price of Forty-four Shillings per Quarter, such Price being ascertained in Manner in the said Act mentioned, no Person or Persons whatsoever should, directly or indirectly, export, transport, carry, or convey, or cause or procure so to be, out of or from any such Port or Place, or load or lay on Board, or cause or procure to be laden or laid on Board, in any Ship, or other Vessel or Boat, in order to be exported or carried out of any such Port or Place, any Wheat, Wheat Meal or Flour, or Malt, Bread, Biscuit, or Starch, made of Wheat; and, whenever the Price of middling *British* Pease should appear at such Port or Place to be at or above the Price of Twenty-eight Shillings per Quarter, no Person or Persons whatsoever should, directly or indirectly, export, transport, carry, or convey, or cause so to be, or load or lay on Board, in any Ship or other Vessel or Boat, in order to be exported or carried out of any such Port or Place, any Pease, ground or unground, or any Bread or Biscuit made of Pease, under the Penalties and Forfeitures in the said Act particularly mentioned and inflicted: And whereas it is necessary, at all Times, to export Biscuit and Pease to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there; 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 and may be lawful to ship and export from the Port of *Bristol* Biscuit and Pease, not exceeding in the whole one hundred and fifty Tons of Biscuit, and three hundred Quarters of Pease, in any one Year; and from the Port of *Poole* Biscuit and Pease, not exceeding in the Whole two hundred and fifty Tons of Biscuit, and seven hundred Quarters of Pease, in any one Year; and from the Port of *Dartmouth* Biscuit and Pease, not exceeding in the whole one hundred and fifty Tons of Biscuit, and three hundred Quarters of Pease, in any one Year; and also from the Ports of *Topsam* and *Tingmouth*, within the Port of *Exeter*, Biscuit and Pease, not exceeding in the whole one hundred and fifty Tons of Biscuit, and three hundred Quarters of Pease, in any one Year, to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there; any Thing in the said Act to the contrary notwithstanding; so as the Exporter do, before the shipping or laying on Board the same, become bound, with other sufficient Security, in treble the Value thereof, to the Commissioners or Chief Officer or Officers of his Majesty's Customs belonging to the said Ports of *Bristol*, *Poole*, *Dartmouth*, or *Exeter* respectively (who hath or have hereby Power to take such Security in his Majesty's Name, and to his Majesty's Use), that such Commodities shall not be landed or sold in any Parts whatsoever other than the said Island of *Newfoundland*; and that a Certificate under the Hand and Seal of the Collector, Comptroller, or other Chief Officer of the Customs, or if no such, of the Naval Officer, or some other principal Officer there, shall, within the Space of eighteen Calendar Months after the Date of such Bonds (the Danger of the Seas excepted), be returned to the Officers who took the said Bonds, that the said Commodities have been landed in the said Island of *Newfoundland*; and for the taking of such Security, and for giving such Certificates (which the respective Officers aforesaid are hereby, on Demand, required to give), no Fee or Reward shall be demanded or received: And if any Officer shall make any false Certificate of any such Commodities being so landed, such Officer shall forfeit the Sum of two hundred Pounds, and lose his Employment, and be incapable of serving his Majesty, his Heirs or Successors, in any Office relating to the Customs; and if any Person shall counterfeit, raise or falsify, any such Certificate, or knowingly publish any such counterfeit, raised, or false Certificate, he shall forfeit the Sum of two hundred Pounds, and such Certificate shall be void, and of no Effect; which said Penalties for Offences committed in *Great Britain* or *Ireland* shall be recovered in the same Courts, and in the same Manner, as the other Penalties inflicted by the said recited Act are recoverable; and for Offences committed in the said Island of *Newfoundland*, shall be recovered in the High Court of Admiralty, or in any Chief Court of the Civil or Criminal Jurisdiction in the said Island, and shall be divided into equal Moieties between his Majesty and the Informer; and the said Bond or Bonds, if not prosecuted within three Years, shall be void; any Thing in the said recited Act to the contrary thereof in any-wise notwithstanding.

Preamble.

Quantity of Tons of Biscuit, and Quarters of Pease, which may be exported in one Year to Newfoundland.

Security to be given to the Officers of Customs.

Officers making false Certificates, or raising or falsifying such, shall forfeit 200 l. Penalties how recoverable.

When the Exportation shall be permitted, no Bond to be required. Bounty, when to be allowed.

II. Provided always, and be it enacted by the Authority aforesaid, That when the Exportation of Biscuit and Pease, or either of them, shall, by the said Act, be permitted; then, and in such Case, no such Bond shall be required upon the Exportation to the said Island of *Newfoundland*, or such of them as shall be so permitted.

III. Provided also, and be it enacted, That when any Bounty shall be allowed upon the Exportation of the said Commodities, or either of them, the same Bounty shall be allowed upon the Exportation thereof

to

to the said Island of *Newfoundland*, under the Regulations, Provision, and Restrictions, in the said Act mentioned.

Continuation.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be in Force during such Time as the said recited Act, passed in the last Session of Parliament, shall have Continuance.

C A P. XII.

An Act for vesting a Piece of waste Ground within, and Parcel of, the Manor of *Clapham*, in the County of *Surry*, in Trustees, and for enabling them to build a new Parish Church thereon.

Preamble.

WHEREAS the Parish Church of *Clapham*, in the County of *Surry*, is a very ancient Fabrick, and inconveniently situated at the Extremity of the said Parish, and by Length of Time is become very ruinous; and the Number of Inhabitants within the said Parish is so greatly increased, that if the said Church was in a Condition to be repaired, it would not be large enough to contain them, for the Purposes of Divine Worship: And whereas *Penelope Pitt*, the Wife of *George Pitt* of *Stratfieldsea*, in the County of *Southampton*, Esquire, and Sister and Heir at Law of Sir *Richard Atkins*, late of *Clapham*, aforesaid, Baronet, deceased, is, under the Will of the said Sir *Richard Atkins*, intitled to the Trust or beneficial Interest of or in the Manor of *Clapham*, and certain waste Grounds within and Parcel of the same, for her Life, for her separate Use, with Remainders in Favour of her Issue Male (which have not yet taken Effect), with the ultimate Remainder therein in Fee (after several contingent and other Uses to take Effect by the said Will in Failure of such Issue): And whereas the building of a new Church in a more commodious Place or Situation, and upon a more extensive Plan, would tend greatly to the Ease and Convenience of the Parishioners of the said Parish, and to the Encouragement of Religious Worship within the same, according to the Rites and Ceremonies of the Church of *England*; and the said *Penelope Pitt* being desirous of promoting such useful and pious Undertaking as far as she is able, hath, with the Consent of all or most of the Freeholders within the said Manor, having or claiming a Right of Common upon the said waste Grounds, proposed or offered to set apart a certain Part thereof for building thereon the said Church, and an inclosed Area to encompass the same; that is to say, a certain Piece of waste Ground, situate on the North-east Side of *Clapham Common* (as the same is now staked or marked out), containing by Estimation two Roods and fifteen Perches, or thereabouts, the said Piece of waste Ground being in all Respects suitable or convenient for that Purpose; but by reason of the Uses or Limitations in the said Will of the said Sir *Richard Atkins*, the said Piece or Parcel of Ground cannot be effectually conveyed for the Purpose aforesaid, nor can the said proposed Church be built thereon without the Aid and Authority of Parliament: And in regard the building of the said Church upon the said Piece or Parcel of Ground will tend to promote or encourage building within the said Manor and Parish, whereby the Estates or Interests of the Lords or Owners thereof, claiming under the said Will, will, for the Time being, be greatly benefited; may it please your Majesty, therefore, 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 Right Honourable Sir *Fletcher Norton*, Speaker of the House of Commons, the Right Honourable *George Onslow*, Sir *Francis Vincent*, Sir *William Stonhouse*, Sir *Henry Bridgeman*, Sir *Simeon Stuart*, Baronets; Sir *William Stevenson*, Sir *Timothy Waldo*, Knights; the Rector and Churchwardens of the Parish of *Clapham*, for the Time being; *Richard Bowyer*, *Levett Blackborne*, *John Pepys Jackson*, *Brabazon Hallows*, *William Burridge Leigh*, *John Thornton*, *Thomas Hankey*, *William Curteis*, *Abraham Atkins*, *Calverley Bewicke*, *Benjamin Bewicke*, *Benjamin Bond*, *John Brogden*, *Thomas Delaval*, *Charles Eyre*, *Freeman Flower*, *William Halhed*, *Henry Hoare*, *Samuel Horn*, *John Jackson*, *Nathaniel Jefferys*, *Thomas Lane*, *Nathaniel Mason*, *John Small*, *Samuel Smith*, *William Snell*, *William Thornton*, Esquires; the Reverend *Moses Porter* B. D. *James Adams*, *Samuel Bayes*, *Calverley Bewicke junior*, *Bulkeley*, *Edward Bull*, *Scmers Clerk*, *John Collick*, *Daniel De St. Leu*, *David De Visme*, *William Eaves*, *John Fleetwood*, *Samuel Geledneki*, *James Hague*, *Engelbert Hake*, *William Hervey*, *Peter Hodgson*, *Hopkins*, *James Hutchinson*, *Thomas Jones*, *Charles Kinson*,

Trustees Names.

March, *William Mills*, *Job Pearson*, *Frederick Ravencamp*, *Thomas Savege*, *Edmund Smith*, *Hamnett Townley*, *John Townsend*, *John Yerbury*, Gentlemen; *William Cole*, and *John Hanscombe*, shall be, and they and their Successors, to be elected in Manner herein-after mentioned, are hereby appointed Trustees for putting this present Act into Execution: And that the said Piece or Parcel of Ground herein-before described shall be, and the same is hereby vested in the said Trustees herein-before named, their Heirs and Assigns for ever, for the Purpose of building a new Church and Steeple thereon, and an Area round the same, for the Use and Benefit of the said Parish: And that the same shall be accordingly held, occupied, and enjoyed, by them for the Purpose aforesaid, freed and absolutely discharged of and from all and every the Uses, Trusts, Limitations, Powers, Provisoos, and Conditions, expressed or declared of or concerning the said Manor in or by the said Will; and also of and from all prescriptive and other Rights of Common thereon.

Piece of Ground vested in the Trustees, for the Purpose of building a new Church.

II. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, to cause the said Piece or Parcel of Ground to be taken in, fenced, and inclosed, for the Purpose aforesaid, at such Time or Times, and with such Materials, and in such Manner, as they shall think fit; and also to cause a Church and Steeple to be erected or built thereon, after such Model, and of such Dimensions and Materials, and in such Manner, as they the said Trustees, or any five or more of them, at any Meeting or Meetings to be holden in pursuance of this Act, shall agree

Power to inclose the Ground;

and to build a Church and Steeple, &c.

agree upon or direct; and also to cause Pews, Seats, and Galleries, and such Ornaments and Conveniences to be made, erected, and set up, in the said Church so to be built as aforesaid, as by the said Trustees, or any five or more of them, at any such Meeting or Meetings, shall be deemed proper or necessary, in order that the said Church may be consecrated and set apart, and completely fitted or furnished for the Celebration of Divine Service, according to the Rites and Ceremonies of the Church of England.

III. And whereas it will be necessary, and greatly for the Advantage of the Parishioners of the said Parish for the Time being, to continue the Church-yard belonging to the said old Church as a Cemetery for the Use of the said Parish, and to preserve a competent Part of the said Church for the Purpose of performing Funeral Service therein, and to have the other Part of the said Church taken down, and especially as the said Church-yard or Cemetery will be thereby considerably enlarged; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorized and required, after the said new Church shall be built, completed, and consecrated, and rendered fit for the Celebration of Divine Service, to cause the Whole of the said old Church (except the North Aisle, and the North, East, and West Walls thereof) to be taken down, and with all convenient Speed afterwards, to cause the said North Aisle, to be inclosed with a Wall on the South Side thereof, of such Materials and Dimension, and in such Manner, for adapting or fitting up the same as a Place proper for the Performance of Funeral Service, as shall be thought fit or necessary by them at any such Meeting or Meetings so to be had as aforesaid.

To take down the old Church (except the North Aisle) which is to be inclosed and fitted up for the Performance of Funeral Service.

IV. And be it further enacted by the Authority aforesaid, That the Scite of such Part of the said old Church as shall be so taken down as aforesaid, shall be, and the same is hereby added to the said Church-yard or Cemetery, for the Purpose of enlarging the same; and that the said new Church, when the same shall be finished or completed, and consecrated and rendered fit for the Celebration of Divine Service, and also the said Church-yard or Cemetery so to be enlarged as aforesaid, shall from thenceforth, for ever, be called and known by the Name of, and to all Intents and Purposes be, *The Parish Church and Church-yard of the said Parish of Clapham*, and that Divine Service, the Solemnization of Matrimony, and all other Matters and Things which were, or of Right have been used to be, celebrated, solemnized, administered, had, done, or performed, by the Minister of the said Parish in the said old Church and Cemetery (save that Funeral Service, after the said North Aisle of the said old Church shall be so inclosed as aforesaid, may, from Time to Time, be performed therein), shall and may be celebrated, solemnized, administered, had, done, and performed, in such and the like Manner, by the said Minister of the said Parish, and his Successors, Ministers of the said Parish for the Time being, in the said new Church, and the said Church-yard or Cemetery.

The Scite of the old Church to be added to the Church-yard. The new Church, when finished and consecrated, to be the Parish Church, and Divine Service to be performed therein, except Funeral Service.

V. And be it further enacted by the Authority aforesaid, That the Reverend *James Stonehouse* Doctor of Laws, the present Rector or Minister of the said Parish of *Clapham*, and his Successors for the Time being, shall, and they are hereby respectively declared to, be Rectors or Ministers of the said new Church; and that the Person or Persons who for the Time being would have a Right of presenting, nominating, or appointing, a Rector or Rectors, Minister or Ministers, to the said old Church, in case the same was not taken down or disused as aforesaid, shall, from and after the said new Church shall be so completed or finished, and rendered fit for the Celebration of Divine Service as aforesaid, have such and the like Estate and Estates, Right, Title and Titles, of and in the said new Church, as he, she, or they, respectively now have, or might or should have had, to the Presentation, Nomination, and Appointment, of a Rector or Rectors, Minister or Ministers, to the said old Church, and according to his or their Rights and Interests respectively, from thenceforth for ever; and shall and may, from and after the Death or Avoidance of the present Rector or Minister of the said Parish, and every other future Vacancy, present, nominate, and appoint, a fit Person to be Rector or Minister of the said new Church; and that such Person, and his Successors, so to be presented or nominated as aforesaid, shall, after such Presentation, or Nomination and Appointment, be Rectors or Ministers successively of such new Church, and shall have and enjoy such Glebes, Tithes, Oblations, Mortuaries, Easter Offerings, Profits, Commodities, and other Ecclesiastical Dues and Duties arising within the said Parish, as the present Rector or Minister of the said Parish hath or ought to have and enjoy, or that any of his Predecessors, Rectors, or Ministers, of the said Parish, of Right had, or ought to have had and enjoyed.

The present Rector, and his Successors, to be Ministers of the new Church; and the Persons having the Right of Presentation to the old Church, to have the same Right and Estate in the new Church.

Minister for the Time being intitled to the Glebe Tithes, &c.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any eleven or more of them, to meet together at the House, known by the Sign of the *Plough*, in *Clapham* aforesaid, on the *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of ten and two of the Clock of that Day, and the said Trustees shall then and there proceed to put this Act in Execution; and shall then, and from Time to Time afterwards, adjourn themselves to meet at the Place aforesaid, or at any other Place or Places within the said Parish, as such Trustees shall think proper and convenient.

Trustees to meet at the Plough on the Monday next after the passing of this Act; and may afterwards adjourn.

VII. Provided always, and it is hereby enacted and declared, That of all Meetings to be held in pursuance of this Act (unless by Adjournment), previous Notice shall be given in the said old Church, till the said intended Church shall be built or completed, and used for the Celebration of Divine Service, and then in such new Church, on the *Sunday* next before such Meetings respectively, by the Minister or Curate of the said Parish for the Time being, or some other Person to be appointed by him to give the same; and also by Writing, to be affixed on the Door or Doors of such Churches respectively, thereby setting forth the Day, Hour, and Place, of such Meeting: And that upon all such Meetings the said Trustees present thereat shall pay their own Expences.

Notice to be given.

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any publick Meeting to be held in pursuance of this Act, to appoint a Treasurer and Clerk, and also a Collector or Collectors, Receiver or Receivers (not being of the People called *Quakers*), of the Rents and Assessments herein-after mentioned; and likewise

Trustees to defray their own Expences. They may appoint Officers, &c.

one or more fit and able Person or Persons, if necessary, to inspect the Works intended to be carried on under or by virtue and in pursuance of this Act; and also to appoint such other Person or Persons as may be necessary for any of the Purposes of this Act, with such Allowances as they shall think reasonable or proper; and shall and may take such Security as they shall think proper from the Person or Persons so to be employed and appointed as aforesaid, or any of them, for the due Discharge or Performance of their respective Undertakings, or of the Trusts in them respectively reposed: And that it shall and may be lawful likewise to and for such Trustees, or any five or more of them, at any such Meeting as aforesaid, from Time to Time, to remove such Person or Persons as may be so appointed as aforesaid, or any of them, and to appoint others in the Room of such as shall be so removed, or of such as shall happen to die, or may discontinue any such Office or Offices, as aforesaid, as and when they shall think fit or necessary so to do; and also by and out of the Monies arising by virtue or under the Power of this Act, to pay, or cause to be paid, such Salaries, or other Allowances, as such Trustees shall judge reasonable, for and in consideration of the Employment and Employments, Office and Offices, of the Persons so to be appointed as last aforesaid respectively.

Security.

Power to remove them, and appoint others,

and pay them Salaries.

To allot a Pew to the Minister.

The rest of the Pews to be subject to annual Rents, and to such Regulations, &c. as shall be made by the Trustees.

An annual Payment to be made to the Rector, as a Satisfaction for his six other Pews in the old Church.

Power of making Rules, Orders, and Regulations for keeping the new Church, and the said Church-yard, &c. in Repair.

No undue Preference to be taken by the Trustees with respect to the letting of the Pews.

No Rents or Orders, &c. to be altered or repealed, except at a Meeting of the Trustees.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any such Meeting or Meetings, to set out or allot unto or for the Rector or Minister of the said Parish Church for the Time being one of the Pews to be built or made in the said intended Church, for or in lieu of one of the seven Pews which the present Rector or Minister of the said old Church, and his Predecessors, Rectors thereof, have for Time immemorial of Right been intitled to have and enjoy therein, and without paying any Compensation or Satisfaction for the same, such new Pew not being inferior, in Point of Goodness and Convenience, to the Pew in the said old Church, now occupied by the present Tenant of the Parsonage House at *Chapman* aforesaid; but that the rest of the Pews and Seats in the said intended Church, shall, from Time to Time, be subject or liable to such annual Rents, and to such Rules, Orders, and Regulations, with respect to the letting or disposing thereof to or amongst the Parishioners of the said Parish, as shall be rated or assessed, and made, from Time to Time, by the said Trustees, or any five or more of them, at any such Meeting or Meetings as aforesaid.

X. And whereas the remaining six Pews belonging to the said Rector, as aforesaid, have been usually let to some of the Parishioners of the said Parish at moderate Rents, and which do now amount to the annual Sum of twelve Pounds and twelve Shillings: And whereas the said Rector is willing to relinquish his Claim to an Allotment of Pews in the said intended new Church, as a Compensation for his said six Pews in the said old Church, in consideration of having the clear annual Sum of twelve Pounds and twelve Shillings secured to be paid to him and his Successors, out of the annual Rents to be reserved and made payable to the said Trustees in respect of the said Pews in the said intended new Church; be it therefore enacted, That from the Time the said intended new Church shall be completed for the Celebration of Divine Service, there shall, yearly and every Year, for ever thereafter, be paid unto the said Rector, and his Successors, in Compensation and Satisfaction of and for the said six Pews in the said old Church so belonging to the said Rector as aforesaid, the full annual Sum of twelve Pounds and twelve Shillings, by and out of the annual Rents which shall, from Time to Time, be collected and received for and in respect of the said Pews in the said intended new Church, as aforesaid, clear of all Taxes and Deductions whatsoever; which said annual Sum of twelve Pounds and twelve Shillings the said Rector, and his Successors, shall, from Time to Time, be intitled to have, receive, demand, and take, of and from the Person or Persons who for the Time being shall be the Collector or Collectors of the Rents of the said Pews in the said intended new Church; and every Payment so made by such Collector or Collectors shall be allowed to him or them by the said Trustees, as a full Discharge for the Sum of twelve Pounds and twelve Shillings, in the Account of Monies which shall by him or them be collected for the Rents of the Pews in the said intended new Church as aforesaid.

XI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any such Meeting or Meetings, likewise to make such Rules, Orders, and Regulations, for the keeping of the said intended Church, and the Fence or Wall by which the Area encompassing the same shall be inclosed, and other the Appurtenances thereunto belonging, and also the said Church-yard or Cemetery, and the said North Aisle or Place, so to be appropriated and used for the performing of Funeral Service, as aforesaid, with the Appurtenances, in good and sufficient Repair, and decent Order or Condition; and also such other Rules, Orders, and Regulations, in and concerning the Premises, or any of them, as to the said Trustees, or any five or more of them, shall appear reasonable, necessary, and convenient.

XII. Provided always, and be it enacted by the Authority aforesaid, That no undue Preference whatsoever shall be had or taken by the said Trustees, or any of them, with respect to the letting or disposing of the said Pews or Seats; and that in the letting or disposing of any such Pews or Seats to or in favour of any of the said Trustees, such Trustee shall be, and he is hereby excluded from interfering or giving any Vote or Voice therein; and that no such Rents for Pews or Seats, or Rules, Orders, and Regulations so to be made as aforesaid, shall be in Force until confirmed by the said Trustees, or any five or more of them, not being interested as aforesaid, at the next or some subsequent publick Meeting or Meetings to be had in pursuance of this Act, as aforesaid; and that no such Rents of Pews or for Seats, nor any Rules, Orders, or Regulations, when so made and confirmed as aforesaid, shall be repealed or altered, except at a like Meeting of the said Trustees, to be holden as aforesaid; and that such Trustees, or any five or more of them, assembled at such Meeting, shall be, and they are hereby authorized and empowered, from Time to Time, to alter such Rents, Rates, or Fees, and to repeal or alter such Rules, Orders, and Regulations, or any Part thereof, in such Manner as they shall think proper.

XIII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall, and they are hereby required, to cause the several Pews and Seats, so to be built or set up in the said intended Church, as aforesaid, to be numbered, and the several Numbers thereof, and the annual Rents at which the same, or any of them, shall be let or disposed of, to be entered in a Book to be provided for that Purpose, and to be preserved in the Vestry Room of such Church, and to be open to the Inspection of all Persons interested therein, at all seasonable Times, without Fee or Reward.

Pews to be numbered, and the Rents entered in a Book, which may be inspected gratis. Power to make Contracts with Workmen, &c.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any publick Meeting to be holden in pursuance of this Act, to receive Proposals from, and to contract with, any Surveyor or Surveyors, Builder or Builders, or Workmen, for the building of the said intended new Church, or any Part or Parts thereof, and for inclosing the Area round the same; and also for the taking down of such Part of the said old Church as by this Act is required or directed to be taken down, and for enclosing the said North Aisle thereof, and making the same fit for the Purpose of performing Funeral Service therein as aforesaid; and with the same, or any other Person or Persons, to treat and contract for the finding or providing proper Materials for the Purpose or Purposes aforesaid, and any other Materials, Matters, or Things, necessary or proper for effectually performing the Purposes of this Act, or any of them: And that the Contract or Contracts to be made on the several Occasions aforesaid, or any of them, shall be signed by the said Trustees, or any five or more of them, and also by the Person or Persons respectively with whom the same shall be respectively made or entered into; and shall respectively specify or contain the several Works to be done in pursuance or in consequence thereof, and the Prices to be paid for the same respectively, and the Time or Times when such Works shall be completed, and the Quantity and Quality of the Materials to be delivered, and the Penalty to be suffered in case of Non-performance of such Contract or Contracts; and that such Contract or Contracts, after the signing thereof as aforesaid, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; but that, previous to the making any such Contract, ten Days Notice, at the least, expressing the Intention of making the same, shall be given in some of the Daily News-papers, in order that any Person or Persons may have an Opportunity of making Proposals for any of the Purposes aforesaid to the said Trustees, at a certain Time and Place in such Notice to be mentioned: And that it shall and may be lawful to and for the said Trustees, so assembled as aforesaid, to take such Security from any Person or Persons entering into such Contracts, or any of them, for enforcing the due Performance thereof, as to the said Trustees shall seem necessary.

Notice to be given of making Contracts.

XV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby directed to cause all and every the Works to be done in pursuance of this Act to be inspected by a Surveyor or Surveyors, or by such other skilful Person or Persons as they shall, from Time to Time, appoint: And in case the same shall not be well and sufficiently performed, according to the true Intent and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times that the same is or are agreed to be completed, such Surveyor or Surveyors, or other Person or Persons, shall report the same to the said Trustees, or any five or more of them, at their next or any subsequent Meeting, who shall and may, in their own Names, or in the Names of any two or more of them, or in the Name of their Treasurer for the Time being, bring an Action of Debt, or upon the Case, in any of his Majesty's Courts of Law at Westminster, against any Person or Persons making Default in the Premises, for the Recovery of any Penalty or Penalties which shall be contained in any such Contract, or for the Breach of any of the Covenants or Agreements therein contained, and to receive and apply the Money to be recovered in any such Action, after deducting thereout, in the first Place, the Expences or Charges necessarily attending the same, and not allowed therein, for the Purposes of this Act.

Power of bringing Actions for any Breach of Contract.

XVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, from Time to Time, to compound or agree with the Defendant or Defendants, in any Action or Actions, to be commenced for the Recovery of any such Penalty or Penalties, as aforesaid, for such Sum or Sums of Money as they shall think reasonable, but not less than the real Injury or Damage sustained by the Breach of the Contract or Contracts respectively, in which such Penalty or Penalties shall be contained, and all Costs, Charges, and Expences, which shall be occasioned thereby.

Power to compound.

XVII. And be it further enacted by the Authority aforesaid, That the Rents of the said Pews and Seats shall, from Time to Time, be appropriated for the Purposes of this Act; but in regard the same will not be sufficient to answer such Purposes, it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby directed or required, twice or oftener in every Year, if thought needful by them, by any Writing under their Hands and Seals, to assess all and every Person and Persons who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Vault, or other Tenement, within the said Parish, in any Sum of Money not exceeding Sixpence in the Pound in any one Year of the yearly Rent of such Lands, Houses, Shops, Warehouses, Vaults, or other Tenements, as the same shall, from Time to Time, be ascertained and rated by the Land Tax for the Time being; and that the Monies to arise from such Assessment or Assessments, so to be made as aforesaid, shall be, and the same are hereby vested in the said Trustees, and shall be applied or appropriated by them for the Purposes of this Act, as well as the Rents of the said Pews and Seats, and in Aid thereof.

Rents of the Pews to be appropriated for the Purposes of the Act. Power to make Rates, not exceeding 6d. in the Pound. Application of the Money.

XVIII. And be it further enacted by the Authority aforesaid, That all and every Person or Persons who shall collect or receive any Money, for or on account of the said Rents of Pews and Seats, Rates and Assessments, or any of them, by virtue of this Act, for the Purposes aforesaid, shall, once in six Months at least, and from Time to Time, as often as he or they shall be thereunto required by the said Trustees, or any five or more of them, deliver, in Writing, under his or their Hand or Hands, to the said Trustees, or any five or more of them, or unto such Person or Persons as they shall appoint, a true and

Collectors to account Half-yearly, or oftener, if required.

and to deliver up their Books and Vouchers, and pay over the Balance then in their Hands to the Trustees. On Refusal to be committed.

Balance of Accounts may be levied by Distress and Sale;

and where Distress cannot be had, the Party to be committed till Payment or Composition be made.

The Rents and Rates to be collected Half-yearly. Power to levy the same.

Occupiers quitting without paying Rates,

may be distrained upon.

Persons aggrieved may appeal to the Quarter Sessions.

Notice to be given.

and perfect Account (and if required), upon Oath, which Oath the said Trustees, or any one or more of them, is or are hereby impowered to administer, of all such Sum or Sums of Money as he or they hath or have collected or received, or which shall have been rated or assessed, as aforesaid, and not received, and of all other Matters and Things relating to his or their said Office or Offices; and shall deliver in all Books, Papers, and Vouchers, relating thereto, and shall pay unto the said Trustees, or any five or more of them, or to such other Person or Persons as they shall, by any Writing under their Hands, appoint, all the Monies remaining in his or their Hands: And if such Person or Persons shall refuse or neglect to account in Manner aforesaid, or to deliver such Books, Papers, and Vouchers, it shall and may be lawful for any two or more of his Majesty's Justices of the Peace for the County aforesaid, to commit such Person or Persons to the common Gaol of the said County, there to remain without Bail or Mainprize, till he or they shall have made and delivered a true and perfect Account, and also delivered all such Books and Papers remaining in his or their Hands, as aforesaid; and in case the said Person or Persons shall refuse or neglect to pay any Sum or Sums of Money, collected or received by virtue of this Act, and which shall remain in his or their Hands, as aforesaid, it shall and may be lawful for any two of the said Justices, by Warrant under their Hands and Seals, directed to such Person or Persons as the said Trustees, or any five or more of them, shall appoint, to levy such Sum or Sums of Money by Distress and Sale of the Goods and Chattels of such Collector or Collectors, Receiver or Receivers, rendering the Overplus (if any), after the Charges of such Distress and Sale are deducted and paid; and for want of sufficient Distress to commit, or cause such Person or Persons to be detained in the said common Gaol of the said County, by Warrant under the Hands and Seals of two or more of the said Justices, until he or they shall have paid over all the Monies in his or their Hands, or compounded for the same, and shall have paid such Composition-money in Manner aforesaid; which Composition the said Trustees, or any five or more of them, are hereby authorized and impowered to make and accept accordingly.

XIX. And be it further enacted by the Authority aforesaid, That the said Rents and Rates or Assessments shall be collected Half-yearly: And that if any Person or Persons shall refuse, neglect, or omit, to pay the Sum or Sums of Money which he, she, or they, shall be rated or assessed for the Space of ten Days after personal Demand made thereof, or Demand in Writing, left at the Place of Abode or Habitation of such Person or Persons; then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, Receiver or Receivers, and he and they is and are hereby authorized and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting, to pay the same: And in case no such Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up or secured, or removed from the said Collector or Collectors, Receiver or Receivers, so that he or they cannot distrain the same; then, and in either of the said Cases, upon Information thereof given to any two Justices of the Peace for the said County, it shall and may be lawful for such Justices, and they are hereby required to commit the Offender or Offenders to the common Gaol, or House of Correction, for the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding the Space of six Months, or until the Payment of such Rent and Rate or Assessment, and reasonable Charges occasioned by the Nonpayment thereof.

XX. And be it further enacted by the Authority aforesaid, That when any Person or Persons, who shall be rated or assessed by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Shop, or other Tenement, for or in respect whereof he, she, or they, respectively shall be so rated or assessed as aforesaid, before he, she, or they, shall have paid his, her, or their said Rate or Assessment, and shall afterwards refuse to pay the same when due and demanded by the Person or Persons authorized and appointed to collect and receive the same; that then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, Receiver or Receivers, and every or any of them, by Warrant under the Hands and Seals of any two or more Justices of the Peace acting in and for the said County, which Warrant the said Justices are hereby authorized and impowered to grant, into any Place within their respective Jurisdictions, or out of the Limits thereof, such Warrant being first backed or countersigned by some Magistrate in the County, City, or Liberty, where the Distress is to be made, to distrain the Goods and Chattels of such Person and Persons so neglecting or refusing, and the same to sell, rendering the Overplus (if any such shall be), after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattels demanding the same.

XXI. Provided always, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves, aggrieved by any Rate or Assessment to be made by virtue of this Act, or any other Matter or Thing to be done in pursuance thereof, it shall and may be lawful for such Person or Persons to apply to the Justices of the Peace, at the General Quarter Sessions to be holden for the said County of Surrey, who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal, but so as that such Appeal shall be made within two Months next after the Cause of Complaint shall have arisen; and that the Person or Persons so appealing shall first give, or cause to be given, ten Days Notice, at the least, in Writing, of his or her Intention of appealing, as aforesaid, and of the Matter or Cause thereof, to the Clerk to the said Trustees, and within two Days after such Notice enter into a Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties, conditioned to try such Appeal at the then next General Quarter Sessions to be holden for the said County, and abide the Order of, and pay such Costs as shall be awarded by the Justices at such Quarter Sessions as aforesaid; and that such Justices, upon the bearing and finally determining the Matter of such Appeal, shall and may, and they are hereby directed or required to award such Costs to the Parties appealing or appealed against as they shall think proper, and that their Determination in or concerning the Premises shall be conclusive to all Parties to all Intents and Purposes whatsoever.

XXII. And

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Receivers and Collectors to be appointed in pursuance of this Act, or any other Person or Persons to be appointed by the said Trustees, or any five or more of them, for that Purpose, at all convenient Times, to inspect the Books of Assessments of the Land Tax for the said Parish, in order to ascertain the Rates and Assessments to be raised and levied by virtue of this Act, and to take Copies thereof, if necessary, at the Expence of the said Trustees; and that such Copies respectively, after the same shall have been examined with the original Assessment or Assessments, of which the same shall purport to be Copies respectively, and shall be duly attested or proved as true Copies thereof, shall be read or admitted as Evidence of such original Assessment or Assessments respectively on the Matter of any such Appeal, as aforesaid.

Collectors to be at Liberty to inspect the Assessments of the Land Tax.

XXIII. And forasmuch as the borrowing of Money upon the Credit of this Act will be the most speedy and effectual Method to accomplish the good and pious Purposes aforesaid, be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to lend or advance, at legal or lower Interest, to the said Trustees, or any five or more of them, from Time to Time, or to such Person or Persons as they, or any five or more of them, shall, by any Writing under their Hands and Seals, authorise and empower to receive the same, for the Purposes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of six thousand Pounds Sterling, and for which Sum or Sums so to be lent and advanced as aforesaid, the Person or Persons so lending or advancing the same respectively shall be a Creditor or Creditors; and that the Monies so to be lent or advanced, together with the Interest thereof, shall be charged and chargeable on the said Rents of Pews and Seats, and the said Rates or Assessments so to be levied or raised as aforesaid; and that the Monies so to be borrowed as aforesaid shall be applied by the said Trustees, or any five or more of them, for the Purposes of this Act.

Power to borrow Money,

not exceeding 6000 l.

Money to be chargeable on the Rents and Rates.

XXIV. And, for the better enabling the said Trustees to borrow such Monies upon the Credit of this Act, as aforesaid, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, by any Writing or Writings under their Hands and Seals, to grant, bargain, sell, or assign, the clear yearly Income arising, or to arise, from the Rents of the said Pews and Seats (subject to such Payment thereof of the yearly Sum of twelve Pounds and twelve Shillings to the said Rector, and his Successors, as aforesaid), and the said Rates or Assessments, so to be levied or raised as aforesaid, or any of them, or a competent Part thereof, or of any of them, to such Person or Persons as shall so lend or advance Monies thereon, as aforesaid, his, her, or their Executors, Administrators, or Assigns, as a Security, by way of Mortgage, for the Repayment of the Money so to be lent and advanced by him, her, or them respectively, as aforesaid, and the Interest thereof; which Security, by way of Mortgage, as aforesaid, shall and may be made by the Form of Words following, or any other Form of Words to the like Effect; that is to say,

Trustees may assign the Rents and Rates for securing the Money borrowed.

BY virtue of an Act of Parliament, made in the fourteenth Year of the Reign of his Majesty King George the Third, for vesting a Piece of waste Ground within, and Parcel of, the Manor of Clapham, in the County of Surrey, in Trustees, and for enabling them to build a new Parish Church thereon, we of to A. B. our Treasurer, in Hand paid, do grant, bargain, sell, and assign, unto C. D. his Executors, Administrators, and Assigns, such Proportion of the Rents, Rates, and Assessments, arising, or to arise, by virtue of the said Act, as the said Sum of doth or shall bear to the whole of the Sum advanced, or to be advanced, on the Credit thereof, to be had and holden, received and taken, by the said C. D. his Executors, Administrators, and Assigns, from this Day of until the said Sum of with Interest for the same, at the Rate of per Centum per Annum, by equal Half-yearly Payments, shall be repaid and satisfied.

And Copies of all such Securities shall be entered in a Book or Books, to be kept for that purpose by the Clerk to the said Trustees; and all and every Person and Persons to whom any such Security or Securities shall be made, and his, her, or their Executors, Administrators, or Assigns, is and are hereby impowered, from Time to Time, to assign or transfer, by Writing, under his, her, or their Hand or Hands, and to be indorsed on the Back of his, her, or their Security or Securities, and to be executed in the Presence of two or more credible Witnesses, all his, her, or their Right or Interest in or to such Security or Securities; and the Principal and Interest Money thereby secured, to any Person or Persons whomsoever; which Assignment or Transfer so to be made shall and may be in the Form of Words following, or in any other Form of Words to the like Effect; that is to say,

Copies of Securities to be entered in Books. Securities may be assigned.

I Do transfer this Mortgage, and all my Right and Interest in and to the principal Money hereby secured, and in and to all Interest now due upon the same, unto of his Executors, Administrators, and Assigns. Dated this Day of

And that all such Assignments and Transfers shall be produced and notified to the Clerk of the said Trustees for the Time being, within forty Days next after the Date thereof, who shall cause an Entry of such Transfers and Assignments respectively to be made, containing, in Words at Length, the Dates of, and the Names of the Parties to, such Assignments and the Sums of Money thereby assigned and transferred in the said Book or Books so to be kept for entering the said original Assignments and Conveyances, and for which Entry or Entries respectively the Clerk shall be paid the Sum of one Shilling, and no more: And that the Book or Books in which such Entry or Entries shall be made shall and may, at all

Assignments to be entered in the Books.

all seasonable Times, be perused and inspected, without Fee or Reward, by any Person or Persons interested in any such Security or Assignment; and that, after such Entry made, such Assignment and Transfer shall intitle such Assignee, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof; and that such Assignee may, in Manner aforesaid, likewise assign and transfer again, and so toties quoties; and that it shall not be in the Power of any Person who shall have made such Assignment or Transfer to discharge or make void the same, or any Monies due thereon.

Materials arising from the old Church vested in the Trustees.

XXV. And be it further enacted by the Authority aforesaid, That the Materials arising from such Part or Parts of the said old Church, as is or are hereby directed to be taken down as aforesaid, shall be, and the same are hereby vested in the said Trustees; and that it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorized and empowered to sell or dispose of the same, or so much thereof, as shall not be used or appropriated by them for the Purpose of inclosing the said North Aisle of the said old Church, and fitting up the same for the Purpose of performing Funeral Service therein, as aforesaid, to such Person or Persons as shall be willing or desirous to purchase the same: And that the Money arising by such Sale or Sales, after defraying thereout, in the first Place, the Expences necessarily attending the same, shall be applied to or for the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Monuments, to be taken down to be placed in some other Part of the old or new Church.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That in the taking down of such Part of the said old Church, as is so directed to be taken down as aforesaid, as little Damage shall be done to the Graves, Grave Stones, Monuments, and Monumental Inscriptions, in and about the same, as reasonably may be: And that such of the said Grave Stones, Monuments, and Monumental Inscriptions, as shall be necessarily removed on account thereof, shall be fixed or placed in such other Part or Parts of the said old Church, except upon the North or East Walls thereof, or in the said new Church, for answering, as far as may be, the Purpose or Purposes for which the same were originally placed or put up, as the said Trustees, or any five or more of them, shall, in their Discretion, think fit: And that such Grave Stones, Monuments, and Monumental Inscriptions, and also all and every the Vaults, Grave Stones, Monuments, and Monumental Inscriptions, and Right of Burial, in such Part of the said old Church as shall not be so taken down, as aforesaid, being the particular Property of any Person or Persons now living, or belonging to the Families buried in or under the said old Church, shall continue to belong to such Person or Families respectively, in like Manner as before and at the Time of passing this Act.

The Trustees Receipts and Payments to be entered in Books,

XXVII. Provided also, and be it further enacted by the Authority aforesaid, That the said Trustees shall cause Entries to be made of all such Sums of Money as shall be received from or on account of the said Rents, Rates, or Assessments, and from the said Materials, and otherwise, under this Act; and also from or on account of the voluntary Subscriptions of Persons disposed to promote the said pious Undertaking, and also of all Payments, Debts, and Credits, to be made, or caused to be made, by the said Trustees, or which shall arise from, or be occasioned by, the carrying of the Powers of this Act into Execution, or any other Matter or Thing relating thereto, and also of all other their Proceedings under this Act, to be written or entered in one or more Book or Books to be kept for that Purpose; and that such Book or Books shall, from Time to Time, and at all convenient Times, be open to the Inspection and Perusal of any Person or Persons paying, or liable to pay, any of the said Rents, Rates, or Assessments, or voluntarily contributing any Sum or Sums of Money, for or towards the Purposes of this Act.

and all other Proceedings under the Act.

Power of electing new Trustees.

XXVIII. And, in order to keep up a constant Succession of Trustees for executing the Purposes of this Act, until the same shall be answered or satisfied, be it further enacted by the Authority aforesaid, That, from Time to Time, and at all Times hereafter, as the Number of the said present Trustees, or of any future Trustees hereafter to be elected and appointed in pursuance of this Act, shall be reduced to twenty resident within the said Parish, either by Death, Resignation, or the Non-residence of any such Trustees, or from any Disability to act in the said Trust, it shall and may be lawful for the surviving or remaining Trustees, or any ten or more of them, by any Writing or Writings under their Hands and Seals, (without any Stamp thereon) to nominate, elect, and appoint, one or more fit and able Person or Persons, being Parishioners of the said Parish, and being Owner or Owners, Tenant or Tenants respectively, of a House of the yearly Value of twenty Pounds at the least, clear of all Taxes and Assessments, to be Trustees with them for the Purposes of this Act, and which Persons, so to be chosen and appointed, shall be and are hereby invested with the several powers given or granted by this Act to the Trustees herein and hereby nominated and appointed.

The Owner of the Manor of Clapham to be one of such new Trustees.

XXIX. Provided also, and be it further enacted by the Authority aforesaid, That the Owner or Proprietor of the said Manor of Clapham for the Time being, or the Person who shall for the Time being be beneficially interested therein in Possession, and not being under any Disability to act in the Execution of the Powers hereby granted, shall be one of the said Trustees so to be nominated, elected, and appointed, as aforesaid.

Trustees having any interest in the Contracts, &c. to be disabled from acting.

XXX. Provided also, and be it further enacted by the Authority aforesaid, That if any of the said present or future Trustees so to be chosen for the Purposes of this Act, as aforesaid, shall undertake any Part of the Building of the said intended Church, or any of the Works relating thereto, or to the inclosing thereof, or to the said old Church, and the inclosing of the said North Aisle thereof, as aforesaid, or shall have any Share or Interest in any Contract relating to the several Matters aforesaid, or any of them, every such Person shall, during the Time of his being so interested in the Premises, be utterly disabled from acting in the said Trust; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Rates to cease when the Debts are paid off.

XXXI. Provided also, and be it further enacted by the Authority aforesaid, That when the said intended Church, with the Appurtenances, shall be completed, and the Works, with respect to the said old Church, shall be done or performed, and the Monies so to be borrowed upon the Credit of this Act, and

and the Interest thereof, shall be fully satisfied, and all Debts contracted on account of carrying the Powers of this Act into Execution, be paid, the said Rates or Assessments shall cease, and the said Pews or Seats in the said intended Church shall, from thenceforth, at all Times afterwards, be let or disposed of, subject to the Contracts then existing with respect thereto (if any), by the Inhabitants of the said Parish, in Vestry assembled, or the major Part of them then present; and that the Money from thenceforth to arise from the letting or disposing of the said Pews, and also such Sum or Sums of Money, received under this Act, from the Rents of the said Pews or Seats, and the said Rates or Assessments, and otherwise, as shall remain unapplied after the Purposes of this Act shall be satisfied, shall be applied, subject to such yearly Payment of twelve Pounds and twelve Shillings thereout to the Rector of the said Parish, and his Successors, as aforesaid, for the Benefit of the Parishioners of the said Parish, in such Manner as they in Vestry assembled, or the major Part of them then present, shall think fit.

XXXII. And be it further enacted by the Authority aforesaid, That all the Costs, Charges, and Expences, of passing of this Act, and all other Charges incident to the obtaining thereof, shall be borne, paid, and defrayed out of the first Monies arising by virtue thereof, or from such voluntary Contributions as aforesaid.

XXXIII. And be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security, for the borrowing of Money, or other Writing whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

XXXIV. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action or Actions, for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or other wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants, in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings, Orders, and Judgments, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

XXXV. And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

XXXVI. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until twenty-one Days Notice shall be thereof given, in Writing, to the Clerk to the said Trustees, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after six Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant and Defendants, in such Actions 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 which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts 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; or if, upon any Demurrer or Demurrers in such Action or Actions, 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 for recovering the same as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Justice as a Publick Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without the same being specially pleaded.

and the Pews to be let and disposed of by the Inhabitants.

Charges of this Act how to be paid.

Writings to be without Stamps.

Distress not to be unlawful, nor the Party making the same to be a Trespasser *ab initio*.

Tender of Amends may be made for any Trespass, &c.

and Money paid into Court.

Proceedings not to be quashed for want of Form, nor removable by *Certiorari*.

Notice to be given of bringing Actions.

Limitation of Actions.

General Issue.

Treble Costs.

Publick Act.

C A P. XIII.

An Act for enabling Sir *John Ramsden*, Baronet, to make and maintain a navigable Canal; from the River *Calder* (between a Bridge called *Cooper's Bridge* and the Mouth of the River *Colne*) to *The King's Mill*, near the Town of *Huddersfield*, in the West Riding of the County of *York*.

Preamble.

WHEREAS the making and maintaining a navigable Canal from the River *Calder*, in the West Riding of the County of *York*, to a Mill called *The King's Mill*, near the Town of *Huddersfield*, in the said West Riding, will be of particular Advantage to the Inhabitants of the said Town and Parts adjacent, and of publick Utility: And whereas Sir *John Ramsden*, Baronet (a Minor), is sole Proprietor of the said Town (except one House), and of a considerable Part of the Lands through which the said Canal is proposed to be made: And whereas Dame *Margaret Ramsden*, and *Thomas Ramsden*, Esquire, Trustees of the said Sir *John Ramsden*, are desirous that the said Sir *John Ramsden* may be enabled to make and maintain such Canal; 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 and may be lawful to and for the said Sir *John Ramsden*, Baronet, his Heirs and Assigns, and he and they is and are hereby fully authorized and empowered, from Time to Time, and at all Times hereafter, to make, maintain, and support, a navigable Canal for Boats, Barges, and other Vessels, from the said River *Calder*, between a Bridge called *Cooper's Bridge* and the Mouth of the River *Colne*, along the North Side of the said River, to a Mill called *The King's Mill*, near the Town of *Huddersfield* aforesaid; and also to make all necessary Cuts, Trenches, Passages, and Works whatsoever for supplying the said Canal whilst the same shall be making, and likewise when made, with Water from the said River *Colne*; and also from any other Rivers, Brooks, Streams, Springs, Waters, and Watercourses, which communicate with the said Canal, or which are or may be found within the Distance of two Miles of any Part thereof; and, for that Purpose, the said Sir *John Ramsden*, his Heirs and Assigns, and his and their Agents, Servants, Workmen, and Labourers, is and are hereby authorized and empowered, in, upon, or through the Lands and Grounds of any Person or Persons, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, to dig, cut, trench, fough, and remove Earth, Stones, Rubbish, Trees, Roots of Trees, and all other Obstructions, which may anywise hinder or prevent the making, maintaining, and using the said Canal, and the Towing-paths on the Sides thereof: And it shall and may be lawful for the said Sir *John Ramsden*, his Heirs and Assigns, to make, maintain, and repair all such Trenches, Passages, Gutters, and Watercourses, as shall be necessary and proper to be made to convey Water to and from the said Canal; and also to raise, strengthen, and support the Banks of the said Canal, and also the Towing-paths, Trenches, Passages, Gutters, and Watercourses respectively; and to make Weirs and convenient Places for discharging the Water from the said Canal; and to make such Back Drains, Gutters, or Trenches, as shall be necessary or proper to prevent any Damage to the Lands or Grounds adjoining or lying near the said Canal, by the oozing or flowing of Water from or out of the same; and to make, maintain, enlarge, open, or alter, any Roads, Ways, Passages, Cuts, Locks, Trenches, Sluices, and other Conveniences, to or from the said Canal for the carrying and conveying Goods, Commodities, and other Things, to and from the same; and also to erect Cranes, weighing Beams, and other Engines for loading or unloading Goods, Commodities, and other Things, where the same shall be necessary; and to inclose and appropriate such Parts of the said Lands and Grounds adjoining to the said Canal, as shall be necessary or proper for Houses, Warehouses, Wharfs, Quays, or Docks, and to make, maintain, repair, and alter, any Bridges, Arches, or Passages, over, under, or through, the said Canal, or the said Trenches, Passages, Gutters, Watercourses, and Sluices respectively, which shall communicate therewith; and to make and set up such Posts, Rails, Hedges, Ditches, Banks, and other Fences, on the Side or Sides of the said Canal, in such Places as he or they shall think necessary and proper for separating and dividing the Towing-paths from the adjoining Lands; and also to get, dig, lay, and convey away Soil, Clay, Gravel, Stones, or other Materials or Things, proper, requisite, or convenient, for making, carrying on, continuing, or repairing, the said Canal, and all other Matters and Works proper and necessary for making, maintaining, and using, the said Navigation, in, from, through, and over any Lands or Grounds adjoining or lying near to the said Canal, or other Works aforesaid (not being the Ground whereon any House stands, or not being an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House, which were planted and set apart as such before the twenty-fourth Day of *March*, one thousand seven hundred and seventy-three); and to do, perform, and execute, all such other Works, Matters, and Things, necessary or proper for the making, carrying on, completing, maintaining, and using, the said Navigation, as he the said Sir *John Ramsden*, his Heirs or Assigns, shall, from Time to Time, think fit; he and they, or his or their Agents, Workmen, or Servants, doing as little Damage as may be to and upon the Premises, and first making Satisfaction in Manner herein-after mentioned to the respective Owners of, and Persons interested in, such Lands, Grounds, or Premises, as shall be used, removed, or prejudiced, in or by the Execution of any of the Powers hereby granted.

Sir John Ramsden to make the Canal.

His Politick &c. empowered to treat.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees whatsoever, not only for and on Behalf of their cestuique Trusts, whether Infants, Issue unborn, Lunaticks, Idiots, Females covert,

covert, or other Person or Persons, and for all Females-covert who are or shall be seized, possessed of, or interested, in their own Right, and for every other Person and Persons however incapacitated, who are or shall be seized, possessed of, or interested in, any Messuages, Lands, Tenements, and Hereditaments, to be cut, digged, damaged, altered, removed, or used, for the Purposes of this Act, or to facilitate the carrying on and effecting the said Navigation, to contract for, sell, and convey, unto the said Sir John Ramsden, his Heirs and Assigns, or to such Person and Persons as he or they shall nominate and appoint for the Purposes of this Act, all or any Part of such Messuages, Lands, Tenements, and Hereditaments, either in Consideration of a Sum of Money to be paid in Gross, or of an annual Rent and Payment to be charged and secured as herein-after mentioned; and where, by making the said Canal, the Property of any Land Owner shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful to and for such Bodies Politick, Corporate and Collegiate, and other such Land Owners, by and with Consent of the Commissioners to be appointed as herein-after mentioned, or any three or more of them, to be testified by any Writing or Writings, to be by them sealed and delivered in the Presence of, and attested by, two or more credible Witnesses, to contract for, sell, and dispose of, or to convey in Exchange in lieu of other Lands, all or any Part of such Lands or Grounds through which the said Canal shall be made, to any Person or Persons whomsoever, for such Price or Prices in Money, or other Equivalent, as to the said Commissioners, or any three or more of them, shall seem reasonable: And that all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in Law to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in any-wise notwithstanding: And all Bodies Politick, Corporate or Collegiate, and all Persons whomsoever, so conveying or exchanging as aforesaid, are hereby indemnified for what he, she, or they, or any of them, shall respectively do by virtue of or in pursuance of this Act: And all such Contracts, Agreements, Sales, Conveyances, and Assurances (other than those which concern any Purchase or Exchange between any such respective Land Owners to be made as aforesaid), shall, at the Expence of the said Sir John Ramsden, his Heirs and Assigns, be inrolled in the publick Register Office at Wakefield, in the said West Riding of the County of York, and true Copies thereof respectively shall be allowed to be good Evidence in all Courts whatsoever; for which Inrolment shall be paid the Sum of Two-pence and no more for every two hundred Words, and so in proportion for any greater or less Number of Words.

III. And in order to settle Differences which may arise between the said Sir John Ramsden, his Heirs and Assigns, and the several Owners of, and Persons interested in, any Messuages, Lands, Tenements, Hereditaments, and Premises, which shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted, touching the Purchase-money to be paid, or Recompence to be made, to them respectively; be it therefore enacted, That Sir George Armitage Baronet, Joseph Armitage, George Armitage, John Armitage, John Atkinson, John Arthington, Thomas Arthington, Bryan Allott Clerk, Richard Allott Clerk, James Allott, Robert Arthington, Charles Allanson, Richard Henry Beaumont, Musgrave Briscoe, John Battye, Daniel Battye, ——— Burton Clerk, Richard Burton, Edmund Barker, Godfrey Bosville, ——— Brooke, Thomas Beaumont, Arthur Burton, Richard Buxton, William Bankes, William Beaton, John Crosland, John Cookson M. D. James Garr, Richard Cotton, George Cotton, John Dawson, Jeremiah Dixon, Robert Denison, William Dennison, Edward Elmsfall, Henry Elmsfall Clerk, James Farrer, James Farrer junior, William Fenton, Benjamin Farrand, Edward Gregg Hopwood, William Horsfall, William Hague, John Haigh, Thomas Haigh, Walter Hawksworth, Thomas Hirst, Thomas Holroyd, Thomas Holroyd junior, Sir James Ibbelson Baronet, Sir John Lister Kaye Baronet, Richard Kennett, Sir William Lowther Baronet, Pemberton Milnes, Gilbert Michell, John Milnes, James Milnes, Richard Milnes, John Michell Clerk, ——— Montjoy Clerk, Josiah Morley, John Milnes, Robert Milnes, James Maude, Francis Maude, Richard Milnes, Richard Micklethwait, Jonathan Nicholl, Benjamin North, William North, Sir Lionel Pilkington Baronet, Michael Pilkington, Harrison Pilkington, William Radcliffe, Sir George Savile, Sir Savile Slingsby Baronets, John Smyth, John Silvester Smith, William Serjeantson, Robert Scott, Robert Smith Clerk, John Spencer, Sidney Swinney Clerk, Thomas Thornhill, George Thornhill, Richard Thornton, Joseph Trotter Clerk, William Tottie, Sir Thomas Wentworth, Sir Rowland Winn, Baronets; William Walker, William Walker junior, John Walker, Joseph Walker, John Woollin, Henry Wickham, John Winn, Benjamin Wilson Clerk, Thomas Wilson Clerk, William Whitacre, John Whitacre, Andrew Wilkinson, Henry Zouch Clerk, and Samuel Zouch; shall be, and are hereby appointed Commissioners for the settling, determining, and adjusting, all Questions, Matters, and Differences, which shall or may arise between the said Sir John Ramsden, his Heirs and Assigns, and the several Owners of, and Persons interested in, any Messuages, Lands, Tenements, and Hereditaments, that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted: And they the said Commissioners, or any three or more of them, are hereby empowered, by Writing under their Hands and Seals (with the Consent of the Parties concerned), to determine and adjust, from Time to Time, what Sum or Sums of Money shall be paid by the said Sir John Ramsden, his Heirs and Assigns, either by an annual Rent or Payment, or by a Sum of Money in Gross, by and at the Election of the said Owners of, and Persons interested in, such Messuages, Lands, Tenements, and Hereditaments, to such Bodies Politick, Corporate or Collegiate, Person or Persons respectively, who shall be intitled or interested as aforesaid, for the absolute Purchase of any Messuages, Lands, Tenements, and Hereditaments, to be cut, digged, damaged, altered, removed, or used, for the Purposes of this Act; and also to determine and adjust the Recompence to be made for any Damages occasioned by any of the Works of the said Navigation, which may, at any Time or Times hereafter, be sustained by such Bodies Politick, Corporate or Collegiate, or any Person or Persons respectively, being Owners of, or interested in, any Messuages, Lands, Tenements, or Hereditaments, for or by reason of the making, repairing, or maintaining, the said Canal, or any of the Banks, Cuts, Trenches, Passages, Gutters, Watercourses, or Sluices, or of supplying the said Canal with Water as aforesaid, or by obstructing and impounding

Commissioners appointed.

Commissioners to determine Differences &

impounding the Water, or by the flowing, leaking, or oozing of the Water over or through the Banks of the said Canal, Cuts, Trenches, or Sluices, or over or through any Passages, Gutters, or Watercourses, which shall be made pursuant to the Powers hereby given, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams or Brooks into the said Canal, or by reason or means of the Execution of any of the Powers herein contained, by the said Sir *John Ramsden*, his Heirs and Assigns, his or their Agents, Workmen, or Servants, or by means or in consequence of any of the Works to be made, for the Purpose of making and supporting the said Navigation, in case such Price or Value, Damages, and Recompence respectively, cannot be settled, adjusted, and agreed for, by and between the said Sir *John Ramsden*, his Heirs and Assigns, and Persons interested in any Messuages, Lands, Tenements, and Hereditaments, as aforesaid: And if the said Sir *John Ramsden*, his Heirs and Assigns, for and on the Part and Behalf of him or themselves; or if any such Bodies Politick, Corporate or Collegiate, or other Person or Persons so interested or intitled as aforesaid, for and on his, her, or their Parts, shall refuse to submit any such Matter to the Determination of the said Commissioners, or any three or more of them, or shall be dissatisfied with any Determination which shall be by them made as aforesaid; and if any such Body Politick, Corporate or Collegiate, Trustee or Trustees, or other Person or Persons intitled or interested as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase-money or annual Rent, or such Recompence as shall be so determined to be paid; or shall, upon Notice in Writing given to the principal Officer or Officers of such Body Politick, Corporate or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of such Lands or Grounds, for the Space of twenty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Sir *John Ramsden*, his Heirs or Assigns, or by reason of Absence shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for making the Canal and other Works aforesaid; or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim; then, and in every such Case, the said Commissioners, or any three or more of them, shall, and they are hereby impowered and required, from Time to Time, to issue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *York* for the Time being; and in case the said Sir *John Ramsden*, or any other Person interested in the Matter in question, shall at such Time happen to be Sheriff of the said County, then to the Coroner or Coroners of the said West Riding of the said County, requiring such Sheriff or Coroner to impanel, summon, and return, a Jury of twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at *Westminster*, to appear before the said Commissioners, or any three or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than nine Days, nor more than twenty Days, after such Warrant shall be served upon such Sheriff or Coroner: And in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array: And the said Commissioners, or any three or more of them, are hereby impowered to summon and call before them all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and may order and authorise the said Jury, or any six or more of them, to view the Place or Places, or Matters, in Controversy; which Jury, upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, any one of the said Commissioners is hereby impowered to administer), shall inquire of, assess, and ascertain the Sum or Sums of Money, or annual Rent, to be paid for the Purchase of such Lands or Grounds, or the Recompence to be made for the Damages that shall or may be sustained as aforesaid: And the said Commissioners, or any three or more of them, shall give Judgment for such Purchase-monies, Rent, or Recompence, so to be assessed by such Juries; which said Verdict, and the Judgment thereupon pronounced by the said Commissioners, or any three or more of them, shall be binding and conclusive to all Intents and Purposes, against all Bodies Politick, Corporate or Collegiate, and all Persons whomsoever.

But if the Parties are dissatisfied, they may have a Jury.

Penalty on Sheriffs, &c. making Default to summon Juries when required.

IV. And be it further enacted, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of twenty Pounds: And if any Person summoned and returned as aforesaid upon such Jury shall not appear, or appearing refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing refuse to be sworn or examined, or to give Evidence; every Person so offending respectively, having no reasonable Excuse to be allowed by the said Commissioners, or any three or more of them, shall, for every such Offence, forfeit and pay any Sum not exceeding five Pounds; to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the said Commissioners, or any three or more of them, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus to the Owner or Owners thereof, after such Penalty, and the Charges of such Distress and Sale, shall be deducted.

How the Expences of Juries are to be paid.

V. And be it further enacted, That in all Cases where a Verdict or Assessment shall be given or made for more Monies as a Recompence or Satisfaction for any Messuages, Lands, Tenements, or Hereditaments, or for any Damage to be done thereto, or to the Property of any Person or Persons whatsoever, than had been previously offered by or on Behalf of the said Sir *John Ramsden*, his Heirs or Assigns, or than had been determined and assessed by the said Commissioners; that then all the Expences of summoning such Jury, and of taking such Inquest, shall be settled by the said Commissioners, or any three or more of them, and be defrayed by the said Sir *John Ramsden*, his Heirs and Assigns: But if any Verdict or Assessment shall be

be given or made for no more or a less Sum than had been previously offered by or on Behalf of the said Sir *John Ramsden*, his Heirs or Assigns, or than had been determined and assessed by the said Commissioners as aforesaid; then, and in every such Case, the Costs and Expences of summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, or any three or more of them, and be borne and paid by the Person or Persons with whom the said Sir *John Ramsden*, his Heirs or Assigns, shall have such Controversy or Dispute.

VI. And be it further enacted, That all and every Person and Persons making Complaint, and requesting such Jury, shall, before the said Commissioners shall issue their Warrant or Warrants for summoning such Jury as aforesaid, first enter into Bond with one or more sufficient Surety or Sureties to the said Sir *John Ramsden*, his Heirs and Assigns, in the Penalty of fifty Pounds, to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for no more or a less Sum than had been offered by or on Behalf of the said Sir *John Ramsden*, his Heirs or Assigns, or than had been assessed by the said Commissioners before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or Damages as aforesaid.

Persons requesting a Jury, to enter into a Bond to pay sol.

VII. And be it further enacted, That the said Commissioners shall not take Notice of any Complaint to be made by any Person or Persons whatsoever for any Injury by him, her, or them, sustained, or supposed to be sustained, unless Application shall be made in relation thereto by or on Behalf of such Person or Persons to the said Sir *John Ramsden*, his Heirs or Assigns, or to his or their known Agent or Agents within six Months next after the passing of this Act, or next after the Time that such supposed Injury or Damages shall have been sustained, or the doing or committing thereof shall have ceased.

Time limited for making Complaints.

VIII. And be it further enacted, That all and every Person or Persons who, in any Examination to be taken by virtue of this Act, shall give false Evidence before the Commissioners, or any three or more of them, or before any Justice of the Peace, shall and may be prosecuted for the same; and, upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Penalty on giving false Evidence.

IX. And be it further enacted, That upon Payment of such Sum or Sums of Money, or annual Rent, as shall be contracted or agreed for between the Parties, or be determined and adjudged by the said Commissioners, or any three or more of them, or assessed by such Juries in manner respectively as aforesaid, for the Purchase of any such Messuages, Lands, Tenements, or Hereditaments, as aforesaid, to the Owners thereof, or other Persons intitled to receive such Monies or Rent respectively, or legal Tender thereof made to such Owner, or other Person or Persons, or to the principal Officer or Officers of any Body Politick, Corporate or Collegiate, at any Time after the same shall have been so agreed for, determined or assessed; or if he, she, or they, cannot be found, or shall refuse to accept such Money or Rent, upon Payment thereof to such Person or Persons as the said Commissioners, or any three or more of them, shall, by Writing under their Hands, appoint, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Owners or Persons respectively as aforesaid; then, and in every such Case, such Messuages, Lands, Tenements, or Hereditaments respectively, and the Fee-simple and Inheritance thereof, shall from thenceforth be vested in, and become, the sole Property of the said Sir *John Ramsden*, his Heirs and Assigns: And it shall and may be lawful for him and them, and his and their Agents, Workmen, and Servants, immediately to enter upon the same, and to dig, cut, trench, fough, and remove, Earth, Stone, Rubbish, Trees, Roots of Trees, and all other Obstructions, for the making, using, maintaining, and repairing, the said Canal, and Towing-paths on the Sides thereof, in or upon such Lands, Tenements, or Hereditaments, for which such Satisfaction shall be determined or assessed as aforesaid; and thereupon to make, erect, or do any Works, Matters, or Things, for the effecting and carrying on the said Navigation, and for the supporting and maintaining the same, as the said Sir *John Ramsden*, his Heirs or Assigns, shall think requisite; and to have, use, and enjoy, the Premises to and for his and their own Use and Benefit for the Purposes of the said Navigation, discharged of all Rights and Claims whatsoever thereon: And this Act shall be sufficient to indemnify as well the said Commissioners, as the said Sir *John Ramsden*, his Heirs and Assigns, and his and their Servants, Agents, and Workmen, for what they, or any of them, shall do by virtue of the Powers hereby granted.

Upon Payment of Money, Land to vest in Sir John Ramsden.

X. And be it further enacted, That all Determinations of the said Commissioners, or any three or more of them, which shall be submitted to, and acquiesced in, by the Parties concerned, and also the said Verdicts and Judgments, being first signed by three or more of the Commissioners who shall be present at the making of such Determinations, or the taking of such Verdicts, and pronouncing such Judgments respectively, shall be inrolled in the publick Register Office at *Wakefield*, in the said West Riding of the County of *York*; and the same, or true Copies thereof respectively, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, as also the Inrolments of such Contracts, Agreements, Sales, and Conveyances, as are herein-before mentioned, paying for each Inspection the Sum of one Shilling; and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of two Pence, and so in proportion for any Number of Words: And immediately on such Payment, and Entries of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Court and Juries, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such Money or Rent shall be paid, in, to, and out of the said Messuages, Lands, Tenements, and Hereditaments, shall vest in the said Sir *John Ramsden*, his Heirs and Assigns; and he and they shall respectively be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person, having any Estate in the Premises, had actually conveyed the same to them by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seign, Fine, Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title,

Verdicts to be inrolled.

Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower or Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, in Reversion or Remainder, against the Issue or Issues of such Person and Persons, and all and every other Person and Persons whomsoever, as effectually as a Fine or Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law.

Purchase-monies due to Corporations, to be laid out to the same Uses as Estates purchased.

XI. And be it further enacted, That all Sums of Money which are to be paid to Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees whatsoever, for or on Behalf of any Infants, Lunatics, Idiots, Females covert, or other cestuique Trusts, or to any Person or Persons whose Lands are limited in strict Settlement, for the Purchase or Exchange of any Lands or Grounds aforesaid, shall, in case the same exceeds the Sum of twenty Pounds by such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustee or Trustees, Person or Persons, seized of Lands or Grounds so limited in strict Settlement, be laid out, as soon as conveniently may be, in the Purchase of Lands, Tenements, and Hereditaments, in Fee-simple; and conveyed to, or to the Use of such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or to and for such other Person and Persons, and for such Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands or Grounds, for or in respect whereof such Purchase-monies, or Monies received in Exchange, shall be paid as aforesaid, were limited, settled, and assured, at the Times such Purchase-monies were so agreed for, ascertained, or assessed respectively, as aforesaid, or so many of such Uses as shall be then existing and capable of taking Effect; such Conveyances and Settlements (other than those which concern any Purchase or Exchange between any of the respective Land Owners as aforesaid) to be made at the Expence of the said Sir *John Ramsden*, his Heirs and Assigns; and, in the mean time, and until such Purchase and Purchases shall be made, the said Monies shall be placed out by such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, in some of the Publick Funds, or on Government or real Securities, in the Names of Two Persons; the one to be nominated by the Party or Parties interested therein, and the other by the said Commissioners, or any three or more of them; and the Interest arising, or to be produced, from such Funds or Securities, and also the annual Rent for such Messuages, Lands, Tenements, or Hereditaments, where a Rent shall be fixed upon as aforesaid, which shall be a Rent-charge, charged and chargeable upon the Rates or Dues hereby authorized to be taken by the said Sir *John Ramsden*, his Heirs or Assigns, shall be paid to such Person or Persons respectively as would, for the Time being, be intitled to the Rents and Profits of such Lands, Tenements, and Hereditaments, so to be purchased, in case the same were purchased and settled pursuant to the Tenor and true Meaning of this Act.

Commissioners to settle Proportions of the Purchase Monies.

XII. And be it further enacted, That the said Commissioners, or any three or more of them, are hereby empowered and required to settle what Shares and Proportions of the Purchase-monies, or Recompence for Damages, which shall be so agreed for by the said Sir *John Ramsden*, his Heirs or Assigns, or any of them, or determined and adjusted by the said Commissioners, or any three or more of them, or assessed by the said Juries in Manner respectively as aforesaid, shall be allowed and paid to each Tenant or other Person having a particular Estate, Term, or Interest, in the Premises, for his, her, or their respective Interests therein; except in such Cases where the same are herein directed to be laid out and invested in the Purchase of Lands, Tenements, or Hereditaments.

In case the Parties are dissatisfied, they may appeal to the Judge of Assize.

XIII. Provided always, That in case any Person or Persons shall be dissatisfied with the Determination and Adjustment of the said Commissioners, or any three or more of them, it shall and may be lawful for such Person or Persons, within six Months next after such Determination and Adjustment, to appeal to the Judge of Assize for the County of *York*; which Judge is hereby authorized and required to hear, and finally to determine and adjust the same.

In Default of Payment, Rates to be liable.

XIV. And be it further enacted, That in Default of Payment of such Sum or Sums of Money, at such Times, and in such Manner, as shall be assessed and awarded for Damages of any Kind, by virtue of this Act, by the said Commissioners, or any three or more of them, or by any Jury, the said Commissioners, or any three or more of them, shall, and they are hereby authorized and required, to appoint one or more Person or Persons to receive one half of the Rates or Dues by this Act imposed; and thereout, in the first Place, to pay all such Damages so to be determined or assessed as aforesaid, with the Costs (if any) occasioned by such Refusal or Default of Payment, together with legal Interest for the same, to be computed from the Time such Damages shall be awarded; and the Money so to be received by such Person or Persons shall and is hereby declared to be as so much Money received to the Use of such Person or Persons who shall be intitled to receive such Satisfaction for Damages as aforesaid, in Order and Course respectively, as such Determination shall be in Priority of Time; and after such Damages and Costs shall be paid and satisfied, the Power and Authority of such Receivers for the Purposes aforesaid shall cease and determine, or otherwise such Party or Parties so aggrieved shall and may have a Remedy for such Sum or Sums of Money so to be assessed and awarded, which shall not be paid according to the Judgment of the said Commissioners, or any three or more of them, with Interest and Costs for the same as aforesaid, by Action at Law, in any of his Majesty's Courts of Record at *Westminster*, against the said Sir *John Ramsden*, his Heirs and Assigns, to recover the same with full Costs of Suit.

If Costs are not paid, how they are to be recovered.

XV. Provided always, That in case the Damages, Interest, or Costs, by this Act provided to be satisfied out of the Rates or Dues herein-after granted, shall not be satisfied and paid within the Space of twelve Months next after the same shall be so determined or assessed as aforesaid; that then, and in such Case, the said Commissioners, or any three or more of them, upon Complaint made to them by or on Behalf of the Person

Person or Persons sustaining such Damage, are hereby authorised and required to issue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of York, authorising and empowering such Sheriff to levy and raise the Damages, so determined and assessed, by Distress and Sale of the Goods and Chattels of the said Sir John Ramsden, his Heirs and Assigns, together with such reasonable Charges as the said Commissioners, or any three or more of them, shall, in such Warrant, direct and appoint.

XVI. And be it further enacted, That all and every such yearly Rents or Sums as shall be agreed upon, or settled and ascertained as aforesaid, shall be charged or chargeable on the Rates or Dues arising by virtue of this Act, and shall be paid by the said Sir John Ramsden, his Heirs or Assigns, as the same shall become due and payable: And in case of Nonpayment thereof within twenty Days next after the same shall become due, and a Demand thereof made, the said Commissioners, or any three or more of them, are hereby authorised and required, by an Order under their Hands and Seals, to appoint one or more Person or Persons to receive one Moiety of the said Rates or Dues, and to pay the same to such Person or Persons to whom such yearly Rents or Sums shall be due and unpaid, as aforesaid, until such yearly Rents or Sums, with the Costs and Charges of recovering and receiving the same, shall be fully satisfied and paid; or otherwise the said yearly Rents or Sums may be sued for and recovered, with Costs, by Action of Debt, in any of his Majesty's Courts of Record at Westminster; or, at the Election of the Parties intituled thereto respectively, may be recovered by Distress and Sale of the Goods and Chattels of the said Sir John Ramsden, his Heirs or Assigns, in such Manner as the Law directs in Cases of Distress for Rent; but so, nevertheless, that the Goods and Chattels of no other Person or Persons than the said Sir John Ramsden, his Heirs or Assigns, be seized or detained by virtue of the Powers hereby given.

Annual Rents how recoverable.

XVII. And be it further enacted, That, in consideration of the Expences of making and maintaining the said Canal, and of carrying this Act into Execution, it shall and may be lawful to and for the said Sir John Ramsden, his Heirs and Assigns, from Time to Time, and at all Times hereafter, to ask, demand, recover, and to take, to and for his and their own proper Use and Behoof, for Tonnage, for all Goods, Wares, Merchandise, Commodities, or other Things whatsoever, which shall be navigated, carried, or conveyed, upon or along the said Canal, such Rates and Dues (over and above what shall or may be paid for the Freight or Carriage thereof) as the said Sir John Ramsden, his Heirs and Assigns, shall think fit, not exceeding the Rates and Dues following; (that is to say) for every Ton of Stones, Slates, Flaggs, Lime, Lime-stones, or Coals, the Sum of Eight-pence, and so in proportion for any greater or less Weight than a Ton; and for every Ton of Goods, Wares, Merchandise, Commodities, or Things whatsoever, not herein-before enumerated, the Sum of one Shilling and Sixpence, and so in proportion for any greater or less Weight than a Ton; and for every Ton of Stones, Slates, Flaggs, Lime, or Lime-stones, Coals, Goods, Wares, Merchandise, Commodities, and other Things whatsoever, or any of them, which shall be navigated, carried, or conveyed, upon the said Canal, for any less Distance than the whole Length thereof, such Proportion of the said Rates or Dues as shall be equal to such Distance, or as near the same as conveniently may be.

Rate of Tonnage.

XVIII. And be it further enacted, That it shall and may be lawful for the said Sir John Ramsden, his Heirs and Assigns, from Time to Time, to reduce and lower the Rates and Dues aforesaid; and afterwards, from Time to Time, to raise and advance the same again to any Sum or Sums of Money, not exceeding the Rates or Dues herein-before granted; but no such Reduction or Advancement shall at any Time be confined to any particular Part of the said Canal, or to any particular Thing to be carried or conveyed as aforesaid; but the said Rates or Dues shall always extend to, and be equal upon, the whole Length of the said Canal, at the same Time: And the said Sir John Ramsden, his Heirs and Assigns, shall cause a Table of the Rates or Dues which shall, from Time to Time, be demanded and taken upon the said Canal, to be fixed up in the publick Market-house of the said Town of Huddersfield, to the End that all Persons concerned may know what Rates and Dues are to be paid for navigating upon the said Canal.

Rates may be lowered and raised again.

XIX. And be it further enacted, That the Rates or Dues herein-before granted, or which shall be reduced or raised again, as aforesaid, shall be paid to such Person or Persons, and at such Place and Places, near the said Canal, in such Manner, and under such Regulations, as the said Sir John Ramsden, his Heirs and Assigns, shall order, direct, and appoint: And in case any Person or Persons shall neglect or refuse to pay the same, or any Part thereof, on Demand, to such Person or Persons as aforesaid, the said Sir John Ramsden, his Heirs and Assigns, shall and may sue for and recover the same with full Costs, by Action of Debt, or on the Case, in any Court of Record; or the Person or Persons to whom the said Rates or Dues ought to be paid as aforesaid, may, and he and they is and are hereby empowered to seize and detain any Goods, Wares, or Merchandise, or any Boat, Barge, or Vessel, for which such Rates or Dues ought to be paid; and in case such Rates or Dues shall not be paid within the Space of five Days next after any such Seizure made, it shall and may be lawful for the said Sir John Ramsden, his Heirs or Assigns, or the Collector or Collectors of the said Rates or Dues, to sell such Goods, Wares, Merchandise, Boats, Barges, or Vessels, rendering the Overplus arising by such Sale (if any) to the Owner or Owners thereof, after the said Rates or Dues, and the reasonable Charges of such Seizure, Detention, and Sale, shall be deducted, satisfied, and paid.

Directions how Rates shall be recovered.

XX. Provided always, and it is hereby declared, That no Rates or Dues shall be due, paid, or demanded, for any Soaper's Waste, Dung, or any Sort of Manure, for the Use only of the Lands through which the said Canal shall be cut, or within one Mile of the said Canal (except Lime and Lime-stones), for being carried upon the said Canal, or any Part thereof; so that the Things hereby exempted from the Payment of such Rates and Dues do not pass through any Lock but at the Time when the Water shall flow over the Dam called Shore Foot Dam; and that no Boat, Barge, or other Vessel, making use of the said Navigation, shall be charged or chargeable with any of the Rates or Dues aforesaid, unless such Boat, Barge, or other Vessel, shall pass through some Lock; but all such Persons who shall own, or

Soaper's Waste, Dung, &c. exempted from Rates.

be concerned or employed in using, the said Navigation as aforesaid, shall make good any Damages that may be done to the Sides or Banks of the said Canal, or any Part thereof, by the loading, unloading, or discharging, any Boats, Barges, or other Vessels; which Recompence and Satisfaction, in case of any Difference, shall be settled and ascertained by the said Commissioners, or any three or more of them.

Profits of the Navigation not to exceed 6 l. per Cent. per Ann.

XXI. And be it further enacted and declared by the Authority aforesaid, That the clear Profits to be received from the said Navigation shall never exceed the Sum of six Pounds *per Centum per Annum*, upon all such Money as shall be actually laid out and expended in making, maintaining, supporting, and managing, the said Navigation, and the several Works relating thereto, and in defraying the Charges and Expences of obtaining and passing this Act.

Persons to be appointed to keep an Account of the Receipts and Payments, &c.

XXII. And, in order to ascertain the Amount of the clear Profits of the said Navigation, be it further enacted, That the said Sir *John Ramsden*, his Heirs and Assigns, shall, and he and they is and are hereby required to appoint a proper Person, who shall enter in one or more Book or Books, to be provided for that Purpose, a true, exact, and particular Account of all Monies which shall, from Time to Time, be laid out and expended in making, maintaining, and preserving, the said Canal; and of all Charges and Expences which shall, from Time to Time, be incurred on account of the said Navigation, and the several Works thereunto belonging; and also a true, exact, and particular Account of the Rates or Dues collected or received by virtue of this Act: And the Person so appointed to enter such Accounts as aforesaid, shall, at the End of every Year, make up, balance, and sign the same: And if at any Time, upon making up and upon balancing the said Accounts, it shall appear that the clear Profits of the said Navigation shall, within such Year, have exceeded the Rate of six Pounds *per Centum* on all such Money as shall have been laid out and expended for making, maintaining, and supporting, the said Canal, and in defraying the Charges and Expences which shall have been incurred on account of the said Navigation, as aforesaid; then, and in every such Case, the several Rates or Dues to be taken during the Course of one entire Year, to be computed from the first Day of *January* then next following, shall be lower than the respective Rates or Dues allowed to be taken in each Case respectively, in the Proportion of one-eighth Part for every twenty Shillings which such clear Profits shall have exceeded the Rate of six Pounds *per Centum per Annum* upon the Money laid out and expended as aforesaid: And it shall not be lawful for the said Sir *John Ramsden*, his Heirs or Assigns, during the Course of such entire Year as aforesaid, to demand or take any greater or higher Rates or Dues than in the reduced Proportion aforesaid; any Thing in this Act contained to the contrary hereof notwithstanding.

Commissioners impowered to examine the Books of Account, &c.

XXIII. And, to the End the Commissioners herein-before appointed may, from Time to Time, know the clear Profits of the said Navigation, be it further enacted, That it shall and may be lawful for the said Commissioners, or any nine or more of them, and they are hereby impowered, from Time to Time, when and as often as they shall think fit (not exceeding Twice in any one Year), to examine the said Books of Account, and take Copies thereof, or such Extracts therefrom, as they shall think proper: And the Clerk, or Person keeping such Books of Account, shall, from Time to Time, verify the Entries therein made, and also produce proper Vouchers for the Money expended upon Oath (if thereunto required by the said Commissioners, or any three or more of them); which Oath the said Commissioners, or any three of them, are hereby authorized and impowered to administer to such Person.

Masters of Boats to give an Account of their Lading.

XXIV. And, for the more easy collecting the said Rates or Dues, be it further enacted by the Authority aforesaid, That the Masters, Owners, and Managers, of every Boat, Barge, or other Vessel, navigating upon the said Canal, or any Part thereof, shall give a just Account, in Writing, signed by the Master, Owner, or Person having the Rule or Command of every such Boat, Barge, or other Vessel, to the Collector or Collectors of the said Rates or Dues, at the Place or Places where he or they shall attend for that Purpose, of the Quantities, Qualities, and Weights, of Goods which shall be in or belonging to each Boat, Barge, or other Vessel, from whence brought, and where they intend to land the same; and also of the Quantities, Qualities, and Weights, of such Goods as shall have been discharged out of such Boat, Barge, or other Vessel, within the Limits of the said Navigation, before their Arrival at the Place where such Account is to be given: And in case such Master, Owner, or Person, shall neglect or refuse to give such Account as aforesaid, or shall give a false Account, or shall deliver any Part of their Loading or Goods at any other Place or Places than what is or are mentioned in the Account, they shall forfeit and pay to the said Sir *John Ramsden*, his Heirs and Assigns, the Sum of five Pounds for every such Offence, over and above the Rates and Dues which they ought to pay for the same: And if any Difference shall arise between any Collector of the said Rates or Dues and the Master, Owner, or Person having the Charge of any Boat, Barge, or other Vessel, or the Owner of any Goods, Wares, or Merchandise, concerning the Weight or Quantity of the same; it shall be lawful for any such Collector or Collectors to stop and detain any such Boat, Barge, or other Vessel, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, all such Goods, Wares, and Merchandise, as shall be therein contained: And in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than such Master, Owner, or Person having the Care of the said Boat, Barge, or Vessel, declared the same to be, then the Master, Owner, or Person, so offending, shall pay the Costs and Charges of such weighing, measuring, and gauging; all which said Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied as the said Rates or Dues are hereby appointed to be recovered and levied; but if such Goods, Wares, and Merchandise, shall appear to be of the same or less Weight or Quantity than the Master, Owner, or Person, so declared the same to be, then the said Collector or Collectors shall pay the Costs and Charges of such weighing, measuring, and gauging; and shall also pay to such Master or Person, or to the Owner or Owners of such Goods, Wares, and Merchandise, one Shilling for every Hour that such Boat, Barge, or other Vessel, shall be detained by Occasion of such weighing, measuring, or gauging, and so in proportion for any greater or less Time than an Hour; and in Default of immediate Payment thereof by such Collector or Collectors, the same

In case of Difference, Goods to be weighed.

shall

shall be levied by Distress and Sale of the Goods and Chattels of such Collector or Collectors, by Warrant or Warrants under the Hand and Seal of any Justice of the Peace for the said West Riding, rendering the Overplus (if any be) to the Owner, after such Distress and Sale shall have been made as aforesaid.

XXV. And be it further enacted and declared by the Authority aforesaid, That the said Canal shall be free for all his Majesty's Subjects whomsoever, who are hereby authorised and empowered to navigate upon the same with any Boats, Barges, or other Vessels, not exceeding the Burthen of twenty-four Tons, and to use the said Wharfs and Quays for loading and unloading Goods, Wares, and Merchandise; and also to use the said Towing-paths for haling and drawing such Boats, Barges, and other Vessels, upon Payment of such Rates or Dues as shall be demanded by the said Sir *John Ramsden*, his Heirs or Assigns, not exceeding the Rates or Dues herein-before mentioned.

XXVI. Provided always, That no Boat, Barge, or other Vessel, of less Burthen than fifteen Tons, shall pass through any Lock without the Consent of the said Sir *John Ramsden*, his Heirs and Assigns, or his or their principal Agent for the said Navigation for the Time being, in Writing first had and obtained for that Purpose.

XXVII. And, to the End the said Navigation may be made and carried on with as little Damage to private Property as possible, be it further enacted, That the said Sir *John Ramsden*, his Heirs and Assigns, shall, and he and they is and are hereby required, at his and their own proper Costs and Charges, to make, or cause to be made, such Arches, Tunnels, Drains, or other Passages, over, under, or into, the said Canal, and the Trenches, Streams, and Watercourses, communicating therewith, and the Towing-paths on the Sides thereof, of such Depth and Breadth as shall be sufficient, at all Times, to convey the Water from the Lands adjoining or lying near to the said Canal; and that all such Arches, Tunnels, Drains, or other Passages, shall, from Time to Time, be supported, maintained, and kept, in good and sufficient Repair by the said Sir *John Ramsden*, his Heirs and Assigns; and if at any Time or Times, after one Month's Notice shall be given by or on the Behalf of any Owner or Occupier of the said adjacent Lands, who shall find him, her, or themselves, aggrieved by the Obstruction of any Watercourse, to the said Sir *John Ramsden*, his Heirs or Assigns, or to his or their known Agent, or the Collector of the said Rates or Dues, the said Arches, Tunnels, Drains, or other Passages, shall not be made, cleansed, repaired, and maintained, according to the true Intent and Meaning of this Act, it shall and may be lawful for any Person or Persons, having an Order in Writing for that Purpose from the said Commissioners, or any three or more of them, from Time to Time, as often as there shall be Occasion, to make, cleanse, and repair, such Arches, Tunnels, Drains, or other Passages, and the reasonable Expence thereof, to be ascertained by the said Commissioners, or any three or more of them, shall be defrayed by the said Sir *John Ramsden*, his Heirs and Assigns; and in case of Neglect or Refusal to satisfy the same for the Space of one Month after Demand thereof made upon the said Sir *John Ramsden*, his Heirs or Assigns, or his or their Agent, or upon any Collector of the said Rates or Dues, such Expences shall and may be levied and recovered in such Manner as the Costs and Charges of making and erecting Bridges, and other Works, by the Owners or Occupiers of Lands, are by this Act directed and appointed to be levied and recovered.

XXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent the Tenants or Occupiers of the several Lands and Estates through which the said Canal is intended to be made, from turning the several Brooks or Streams intended to run into the said Canal, in order to water their respective Lands, so that such Turning do not hinder such Brooks or Streams from running into the said Canal, after watering the respective Lands as aforesaid.

XXIX. And be it further enacted, That the said Sir *John Ramsden*, his Heirs or Assigns, shall and may cause to be made, set up, and, from Time to Time, maintained and kept in Repair, convenient Gates, Bridges, Passages, and Stiles, in and over all the Ditches and Fences, Towing-paths and Ways, to be made for the Purposes of the said Navigation, and shall and may fence in the said Towing-paths where the same shall be wanting; and also shall and may cause to be made sufficient Bridges, with proper Battlements, or Posts and Rails on each Side, over the said Canal, Trenches, and Passages for Water, where necessary, for the Use of the Occupiers of Lands, Tenements, and Hereditaments, thereunto adjoining, to make convenient Passages to and from the Lands for the Use and Occupation of the same.

XXX. And whereas it may hereafter happen from Floods, or from some unexpected Accidents, that the Locks, Weirs, Floodgates, Dams, Banks, Trenches, or other Works of the said Canal, may be damaged or destroyed, and the adjacent Lands damaged or endangered, and that it may be necessary the same should be immediately repaired or rebuilt to prevent farther Damage; be it therefore enacted by the Authority aforesaid, That as often as any such Case shall happen, it shall and may be lawful for the said Sir *John Ramsden*, his Heirs and Assigns, from Time to Time, or his or their Servants, Agents, or Workmen, (without any previous Application to the said Commissioners, and without any Delay or Interruption from any Person or Persons whatsoever, to enter into any Lands, Grounds, or Hereditaments, adjoining or near to the said Canal and Trenches (not being the Ground whereon any House stands, or not being an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House), and to dig for, get, work, take, carry away, and use, all such Stones, Gravel, and other Materials, as may be necessary or proper for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, Occupier or Occupiers of, or other Person or Persons interested in, such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Works will admit of, and making Recompence for such Damages to the Owners and Occupiers of, or other Persons interested in, such Lands, Grounds, or Hereditaments, within the Space of three Months next after the same shall be demanded, for all Damages which may be done by Means of the digging for, getting, working, taking, carrying away, and using such Stones, Gravel, and Materials, or any of them; which

Navigation to be free upon Payment of the Rates.

Vessels under 15 Tons not to pass through Locks.

Arches, Tunnels, &c. to be made to communicate with the Towing-paths.

Owners aggrieved may repair the Works, and be reimbursed their Expences.

Brooks or Streams may be turned for watering the Lands.

Bridges, &c. to be made and kept in Repair.

Power to get Materials in case of sudden Damage.

which Damages, and the Satisfaction and Recompence to be made in respect thereof, shall be settled, adjusted, assessed, ascertained, and determined, by the Ways and Means herein-before prescribed with respect to other Damages done by getting Materials for making the said Navigation.

Land Owners may erect Warehouses on their own Lands:

XXXI. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to restrain or hinder the Lord or Lords of any Manor or Manors, or the Owner or Owners of any Lands or Grounds, through which the said Canal shall pass, from making, erecting, or using, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses, in or upon their own Lands, Grounds, or Wastes, adjoining or near to the said Canal, or from landing any Goods or Merchandise, or other Things thereupon, or upon the Banks lying between the same and the said Canal; or for making or using proper and convenient Places for Boats, Barges, or other Vessels, to lie in, turn, or pass by each other; so that the making, erecting, or using, thereof respectively, shall not, and do not, obstruct or prejudice the Navigation of the said Canal, or the Towing-paths on the Sides thereof; and all Sums of Money which shall be paid for the Use and Benefit of the said Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, shall be, and the same are hereby vested in the Lord or Lords of such Manor or Manors, or the Owner or Owners of such Lands or Grounds, who shall make and erect such Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses respectively, his, her, and their Heirs and Assigns; so that the Rates or Dues granted to the said Sir John Ramsden, his Heirs and Assigns, for Tonnage, shall not be thereby reduced or altered.

And in case of Neglect, Sir John Ramsden may erect Warehouses.

XXXII. Provided always, That if any such Lord or Lords, Owner or Owners, shall not, within the Space of twelve Months after Notice given in Writing by or on Behalf of the said Sir John Ramsden, his Heirs and Assigns, that any Part or Parts of such Lands, Grounds, or Wastes, is or are intended to be used by them for the Purpose of erecting Warehouses and Buildings for the Use of the said Navigation, make and erect on such Part or Parts of such Lands, Grounds, or Wastes, sufficient Warehouses and Buildings, on some Plan to be approved of by three or more Commissioners, or shall not maintain and keep the same in substantial Repair; then, and in every such Case, the said Sir John Ramsden, his Heirs and Assigns, shall have full and absolute Power and Authority, without any Hinderance or Restraint whatsoever, to make use of such Lands or Grounds for erecting such sufficient Warehouses and Buildings; first making Satisfaction for the same, in such Manner as is directed with respect to other Lands or Grounds which shall be taken and used for the like Purposes.

For ascertaining the Rates of Wharfage.

XXXIII. And be it further enacted, That no more than the Sum of Three-pence per Ton shall be demanded or taken for Wharfage by any Person or Persons, Proprietor or Proprietors, Land Owner or Land Owners, who shall or may, at any Time hereafter, make, erect, or build, any Wharfs or Quays, on or near any Part of the said Canal, by virtue of this Act, unless the Goods, Wares, or Merchandise, which shall be laid thereon, shall remain or continue on such Wharf or Quay for a longer Time than the Space of six Days; but if the same remain and continue thereon for more than six Days, then the further Sum of one Halfpenny a Day shall be paid for the Wharfage of every Ton of such Goods.

Punishing Persons destroying the Works.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy, any Banks, or other Works to be erected or made by virtue of this Act, such Person or Persons shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by and before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport such Felon for the Space of seven Years to some of his Majesty's Plantations in America, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm; or in Mitigation of such Punishment may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty on Persons obstructing the Works.

XXXV. And be it further enacted, That if any Person or Persons shall wilfully and maliciously do any Hurt or Mischief to obstruct, hinder, or prevent, the carrying on, completing, supporting, or maintaining, the said intended Navigation, or any Works hereby authorized to be made, every Person so offending shall forfeit and pay any Sum not exceeding five Pounds, nor less than forty Shillings; and in Default of such Payment, shall be committed to some House of Correction for the said County of York, there to remain for the Space of one Calendar Month, unless such Penalty shall be sooner paid.

Boats to be marked.

XXXVI. And for the better regulating of Masters of Boats, Bargemen, and others, employed upon the said Canal, be it further enacted, That every Master, or Person having the Rule or Command, of any Boat, Barge, or other Vessel, passing on the said Canal, shall cause his Name to be set in large painted white capital Letters on each of the Outfides of every such Boat, Barge, or other Vessel, higher than the same shall sink into the Water when full loaded; and shall also permit and suffer every such Boat, Barge, or other Vessel, to be measured at the Expence of the said Sir John Ramsden, his Heirs and Assigns, by putting Weights into the same for that Purpose, or otherwise; and to be marked with Figures, or other Marks, at each End, on the Outside thereof, shewing how much or how far every Ton Weight of Loading which shall be put into such Boat, Barge, or other Vessel, will sink the same into the Water, whenever it shall be required by the said Sir John Ramsden, his Heirs or Assigns, or such Person or Persons as shall be appointed by him or them for that Purpose, provided that no such Vessel shall be measured more than four Times in any one Year; and every Owner, Master, or other Person, having the Rule or Command of any such Boat, Barge, or other Vessel, who shall refuse or neglect to put his Name thereon, or shall refuse to have his or their Boat, Barge, or other Vessel, measured or marked as aforesaid, or shall alter, deface, erase, or destroy, any of the said Letters, Figures, or Marks; he or they shall, for every such Offence respectively, forfeit and pay to the said Sir John Ramsden, his Heirs and Assigns, the Sum of five Pounds.

Owners answerable for Crews.

XXXVII. And be it further enacted, That the Master or Owner of every Boat, Barge, or other Vessel, navigating upon the said Canal, shall be, and is hereby made answerable for any Damage, Spoil, or

or Mischief, that shall be done by his Boat, Barge, or other Vessel, or any of the Boatmen or Watermen belonging to or employed in or about the same respectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, Banks, Towing-paths, or other Works, in, upon, or near the said Canal, Trenches, Sluices, and Passages, or by loading or unloading any Boat, Barge, or other Vessel, and for any Trespass or Damage that shall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, or Tenements, adjoining to the same, or any of them, other than is authorized by this Act; and the said Master or Owner of such Boat, Barge, or other Vessel, shall and may be sued and prosecuted for the same in any Court of Record whatsoever, and if found guilty, or if a Verdict pass against him, or if Judgment be given against him upon Demurrer or by Default, the Plaintiff, in any such Case, shall recover the Damages thereby sustained, with Double Costs of Suit.

XXXVIII. And be it further enacted, That if any Boat, Barge, or other Vessel, shall be placed in *Cooper's Bridge Dam* in the River *Calder*, so as any ways to obstruct the Passage of any Boat, Barge, or other Vessel, going into or out of the said Canal, or if any Boat, Barge, or other Vessel, shall be placed in any Part of the said Canal so as to obstruct the Navigation, and the Person having the Care of such Boat, Barge, or Vessel, shall not immediately, upon Request made, remove the same, he shall, for every such Offence, forfeit and pay any Sum not exceeding ten Shillings, nor less than five Shillings, for every Hour such Obstruction shall continue; and it shall be lawful for the Agents or Servants of the said Sir *John Ramsden*, his Heirs and Assigns, or any of them, to cause any such Boat, Barge, or other Vessel, to be unloaded (if necessary), and to be removed in such Manner as shall be proper for preventing any Obstruction to the Navigation; and to seize and detain such Boat, Barge, or other Vessel, and the Loading thereof, until the Charges occasioned by such Removal are paid: And if any Boat, Barge, or other Vessel, shall be sunk in the said Canal, and the Owner or Person having the Use of such Boat, Barge, or other Vessel, shall not, without Loss of Time, weigh or draw up the same, it shall be lawful for the Agents, or Servants of the said Sir *John Ramsden*, his Heirs or Assigns, or any of them, to cause such Boat, Barge, or other Vessel, to be weighed or drawn up, and to detain and keep the same, till Payment be made of all Expences necessarily occasioned relating thereto.

Vessels lying so as to obstruct the Navigation to be removed.

XXXIX. And be it further enacted, That if any Person or Persons shall float any Timber upon the said Canal; or load any Boat, Barge, or other Vessel, with Timber, so that the same shall lie over the Sides of any such Boat, Barge, or other Vessel; or shall overload any Boat, Barge, or other Vessel, navigating in or upon the said Canal, and when so overloaded, shall put such Boat, Barge, or other Vessel, into the said Canal, so as to obstruct the Passage of any other Boat, Barge, or Vessel, and shall not immediately, upon Notice given to the Owner or Person having the Care of such Boat, Barge, or Vessel, so obstructing the Passage, as aforesaid, hale the same back into such Place or Places as shall be proper or made for Boats, Barges, or other Vessels, to pass each other; every such Owner or Person floating such Timber, or having the Care of such Boat, Barge, or Vessel, shall forfeit and pay, for every such Offence, to the said Sir *John Ramsden*, his Heirs or Assigns, the Sum of five Pounds.

Penalty on Persons overloading Boats, and obstructing the Passage of the Canal.

XL. And be it further enacted, That no Boatman, or his Agents or Servants, navigating any Boat, Barge, or other Vessel, upon the said Canal, and passing with the same through any Lock to be made upon the said Canal, shall suffer the Water to remain in the Lock longer than is necessary for his Boat, Barge, or other Vessel, to pass through any such Lock; and that every such Boatman, or other Person as aforesaid, in going down the said Canal, shall shut the lower Gates and Cloughs of such Lock before he or they shall draw the Cloughs of the upper Gates thereof; and after he or they shall have brought his or their Boat, Barge, or other Vessel, into the said Lock, shall shut the upper Gates and Cloughs before he or they shall draw the Cloughs of the lower Gates thereof; and in going up the said Canal shall, so soon as he or they shall have passed with his or their Boat, Barge, or other Vessel, out of the said Lock, shut the upper Gates and Cloughs of the said Lock, and afterwards draw the Cloughs of the lower Gates, unless there shall be then a Boat, Barge, or other Vessel, in Sight, coming down the said Canal; in which Case the lower Gates and Cloughs of the said Lock shall be left shut, and the upper Gates shall be left open: And in all dry Seasons, when there shall be a Scarcity of Water in the said Canal, the Vessel going up the same, if within any Distance not exceeding three hundred Yards below a Lock, shall pass through such Lock before the Vessel coming down, and then the Boat, Barge, or other Vessel, next above, shall come down; and if there are more Vessels than one below and above any Lock at the same Time, in such dry Seasons, within the Distance aforesaid (at which Distance a Post or Mark shall be set up or made to denote the same), such Vessels shall go up and come down at such Locks by Turns as aforesaid, till all the said Vessels going up or coming down shall have passed by; by which Method one Lockfull of Water may serve two or more Vessels; and every Person acting contrary to these Directions, and being convicted thereof before any Justice of the Peace for the West Riding of the said County, upon the Oath of one or more Witness or Witnesses, the Master or other Person having the Command of such Boat, Barge, or other Vessel, shall forfeit the Sum of forty Shillings: And if any Person or Persons shall open any Gate or Gates in the said Haling-ways, and leave the same open, every Person so offending, and being thereof convicted before any Justice of the Peace for the said West Riding, upon the Oath of one or more Witness or Witnesses, shall, for every such Offence, forfeit any Sum not exceeding forty Shillings.

Regulations for Vessels passing the Locks.

XLI. And be it further enacted, That if any Person shall maliciously or wantonly open, or cause to be opened, any Lock or Clough belonging to the said Canal, having no lawful Occasion so to do, nor for the Advantage of some Boat, Barge, or other Vessel, to pass such Lock, or shall leave any Clough running, after any Boat, Barge, or other Vessel, shall have passed any Lock belonging to the said Canal; or if any Person or Persons shall draw, or cause to be drawn, any Clough or Cloughs on the said Canal or Trenches, so as, by flushing or otherwise, to waste the Water of the said Canal or Trenches, to the Prejudice of the said Navigation; or shall throw any Ballast, Gravel, Stones, or Rubbish, into any Part of

Penalty on maliciously or wantonly drawing Cloughs.

the

the said Canal, or the Trenches or Watercourses, to be made by virtue of this Act; every Person offending in any of the Cases aforesaid, and being thereof convicted before any Justice of the Peace for the said West Riding, by the Oath of any one or more Witnesses or Witnesses, shall, for every such Offence, forfeit and pay such Sum as the said Justice shall order and direct, not exceeding the Sum of five Pounds, whereof one Moiety shall go to the Informer, and the other Moiety to the said Sir *John Ramsden*, his Heirs and Assigns; and in Default of Payment, the Person so offending shall, by Warrant of such Justice, be committed to the House of Correction, there to be kept to hard Labour for any Time such Justice shall direct, not exceeding two Months.

Canal not to be subject to Commissioners of Sewers.

XLII. Provided always, and be it enacted and declared, That the said Canal, or any Works whatsoever, to be made by virtue of this Act, shall not be subject to the Controul, Direction, Survey, or Order, of any Commissioners of Sewers; or to any Law or Statute relating to Sewers; any Law or Statute whatsoever to the contrary hereof notwithstanding.

Rates to be exempted from Taxes

XLIII. And be it further enacted and declared, That the Rates, or Dues aforesaid, shall, at all Times hereafter, be free and exempt from the Payment of all Taxes, Rates, Assessments, or Impositions whatsoever; any Law or Statute made, or to be made, to the contrary hereof notwithstanding.

Rights of the Lords of Manors reserved.

XLIV. And be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to defeat, prejudice, or affect, the Right or Rights of any Lord or Lords of any Manor or Manors, to the Mines of Stones or Quarries, lying or being within or under the Lands or Grounds to be set out or made use of for such Canal, Towing-paths, or other Conveniencies aforesaid; but that the Lord or Lords of such Manor or Manors may work and use all such Mines and Stone Quarries, provided the using or working the same be no Injury, Prejudice, or Obstruction, to the said Canal, Towing-paths, or other the Conveniencies aforesaid, or any or either of them.

A Person appointed by Sir John Ramsden to attend as Clerk to the Commissioners.

XLV. And be it further enacted, That the Person to be appointed by the said Sir *John Ramsden*, his Heirs or Assigns, for keeping an Account of all Monies received and expended as aforesaid, shall attend the said Commissioners as their Clerk at all their Meetings, for executing the Purposes of this Act; and all Acts, Orders, and Proceedings of the Commissioners at such Meetings, shall be entered by such Clerk in proper Books to be kept for that Purpose; all which Books shall be open, at all seasonable Times, for the Inspection of any Person or Persons interested and desirous of seeing the same, without Fee or Reward; and the said Orders and Proceedings, when entered as aforesaid, shall be signed by such Number of the Commissioners as by this Act are empowered to make such Orders, and carry on such Proceedings, and shall also be attested by the said Clerk as a Witness thereto; and such Orders and Proceedings, being so signed and attested, shall be deemed Originals, and admitted as Evidence without further Proof in all Courts whatsoever.

Commissioners dying, or refusing to act, others to be chosen.

XLVI. And, for continuing a sufficient Number of Commissioners for putting this Act in Execution, be it enacted by the Authority aforesaid, That when any of the Commissioners hereby appointed, or to be elected, in Manner herein-after mentioned, shall die, or refuse to act, the surviving or remaining Commissioners, or any nine or more of them, shall, and they are hereby empowered, from Time to Time, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commissioner dying or refusing to act, some other Person qualified as herein-after mentioned: And in case nine such Commissioners shall not survive, who will meet together so to elect and appoint new ones in the Place of such as are dead, or refuse to act; then, and in that Case, three or more of the Commissioners of the Land Tax for the West Riding of the County of *York* for the Time being, may elect and appoint nine or more other Persons, qualified as in this Act mentioned, who shall proceed to fill up the Vacancies in the Manner herein directed; and all such Commissioners, so elected or appointed, shall, from the Time of their Election or Appointment, have the like Authority in all Things relating to the Execution of this Act, as if they had been expressly named and appointed Commissioners in this Act, Notice of the Time, Place, and Purpose, of such Meetings being given in Writing, to be affixed upon the Market Cross, or some other conspicuous Place in *Huddersfield*, fourteen Days at least before every such Meeting.

Qualification of Commissioners.

XLVII. And be it further enacted, That no Person shall act as a Commissioner in any Case where he shall be any ways interested or concerned in the Matter in question; and that no Commissioner herein-before appointed, or who shall be elected by virtue of this Act, shall act as such, unless at the Time he shall so act he shall be seized or possessed in his own Right, or in the Right of his Wife, of an Estate of Freehold or Copyhold in Lands, Tenements, or Hereditaments, of the clear yearly Value of one hundred Pounds; or of a personal Estate to the Amount of three thousand Pounds (unless he shall be the eldest Son or Heir Apparent of a Peer of the Realm, or of a Person qualified to be elected, and serve as a Knight of the Shire for that Part of *Great Britain* called *England*): And if any Person hereby declared incapable to act as a Commissioner shall nevertheless presume to act as such, every Person so offending shall, for every Offence, forfeit the Sum of fifty Pounds to any Person who shall sue for the same; to be recovered with full Costs of Suit, by Action at Law, in any of his Majesty's Courts of Record at *Westminster*; in which Action no Essoin, Protection, Privilege, Wager of Law, or more than one Imparllance, shall be allowed; and such Person so prosecuted shall prove that he is qualified as before mentioned, or otherwise shall pay the said Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act.

Commissioners to take an Oath.

XLVIII. Provided always, That no Person shall act as a Commissioner in any Case (except in administering the following Oath) until he shall have taken and subscribed the same Oath before any three or more of the said Commissioners, who are hereby authorized and empowered to administer the said Oath to any of the other Commissioners (that is to say);

The Oath.

I *A. B.* do swear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Judgment, execute and perform the Powers and Authorities established

established in me by virtue of an Act, made in the fourteenth Year of the Reign of his Majesty King George the Third, for enabling Sir *John Ramsden* Baronet, to make and maintain a navigable Canal from the River *Calder* (between a Bridge called *Cosper's Bridge*, and the Mouth of the River *Colne*) to *The King's Mill*, near the Town of *Huddersfield*, in the West Riding of the County of *York*.

So help me GOD.

XLIX. Provided nevertheless, That such Commissioners who are Justices of the Peace for the said West Riding shall and may, and they are hereby respectively impowered to act as Justices of the Peace in the Execution of this Act within the Limits of their respective Jurisdictions, notwithstanding their being Commissioners; but no Person who shall hold any Place of Profit arising out of the Rates or Dues aforesaid, or be concerned in Interest in any Contract or Bargain made, or to be made, for the Purposes of this Act, shall be capable of acting as a Commissioner under this Act.

Commissioners may act as Justices.

Persons interested, &c. not to hold Places of Profit.

L. And be it further enacted, That upon any Application to be made by the said Sir *John Ramsden*, his Heirs or Assigns, or any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the said Navigation, or any of the Works necessary or relating thereto, unto the Commissioners appointed by and for the Purposes of this Act, or any three or more of them, desiring them to appoint a Meeting of the Commissioners, the Commissioners, or any three or more of them, to whom such Application shall be made, shall, and they are hereby authorized and required, within seven Days after such Application made, to give Notice, in Manner hereby directed, of a Meeting to be held at such Time and Place as shall be specified in such Notice, such Time not being less than fourteen Days, nor more than twenty-one Days, from the Day on which such Application shall be made as aforesaid; and the said Commissioners, or any three or more of them, are hereby authorized and required to meet at the Time and Place so to be appointed, in order to put this Act in Execution; and shall then adjourn themselves, and afterwards meet at such Place as the said Commissioners assembled at such Meeting, or any three or more of them, shall think proper and convenient: And if it shall happen that there shall not appear at any Meeting, which shall be appointed to be had or held as aforesaid, a sufficient Number of Commissioners to act and to adjourn; then, and from Time to Time, as often as the Case shall happen, such Meeting shall be deemed adjourned until that Day three Weeks, and to the Place where the other Meeting was to have been held; and all Meetings of the said Commissioners by virtue of this Act shall be publick; and the Majority of the said Commissioners present at all such Meetings are hereby authorized to execute the several Powers vested in them by this Act; and that it shall and may be lawful for any three or more of the said Commissioners (although they shall not be then assembled at a Meeting to be held as aforesaid), from Time to Time, upon such Request made as aforesaid, by Notice in Writing, signed by them, and published in Manner hereby directed, to summon a Meeting of the said Commissioners, at such Time and Place as shall be mentioned in such Notice, for the settling and ascertaining such Damages as are here directed to be settled and ascertained, notwithstanding any Adjournment or Non-adjournment of any Meeting of the said Commissioners.

Upon Application of Sir *John Ramsden*, or any of the Land Owners, Commissioners to call a Meeting.

LI. Provided always, That no Meeting of the said Commissioners shall be good or effectual for any of the Purposes of this Act, unless previous Notice of the Time and Place thereof, and the Business proposed to be done, under the Hand of the Clerk for the Time being, attending the said Commissioners, shall be first published in the *York* and *Leeds* News-papers, and in such other Manner as the said Sir *John Ramsden*, his Heirs or Assigns, shall appoint; unless the Business to be transacted at any Meeting, of which such Notice has been given as aforesaid, shall not be concluded on the Day mentioned in such Notice; in which Case the Commissioners, or any three or more of them, may, from Time to Time, adjourn to the succeeding Day (unless such Day be *Sunday*, and then to the *Monday* following), and, in like Manner, from Day to Day; and may meet again at the same, or any other convenient Place, and proceed in such Business, until the same is finished, without any Notice to be given of the Meetings held by such last-mentioned Adjournment.

Notice of Meetings to be published.

LII. Provided also, That all Meetings of Commissioners for hearing or determining Complaints, Controversies, or Disputes, between the said Sir *John Ramsden*, his Heirs or Assigns, and any other Person or Persons, shall be held in some convenient Place in the said Town of *Huddersfield*; and that no Order or Determination shall be made, unless the Majority of Commissioners present, at such Meeting respectively, shall concur therein; such Majority not being less than the respective Numbers authorized to make such Orders or Determinations; and that no Order or Determination of the said Commissioners, duly made, shall be revoked or altered, unless twelve Commissioners shall be present and concur therein.

Meetings to be held within the Town of *Huddersfield*.

LIII. And be it further enacted, That no Summons, Order, Determination, Judgment, Warrant, Consent, Agreement, Bond, or other Writing whatsoever, under the Hands, or under the Hand and Seal of any Justice of the Peace, or of the said Commissioners, or any of them, or of any other Person or Persons appointed or employed by them, or any other Writing whatsoever, made in pursuance of the Powers given in and by this Act, shall be charged or chargeable with any Stamp-duty whatsoever; and that no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for want of Form only.

Writings to be without Stamps.

LIV. And be it further enacted, That all Penalties and Forfeitures inflicted by this Act (the Manner of levying and recovering of which is not herein before particularly directed), shall be levied by Warrant under the Hand and Seal, or Hands and Seals, of one or more Justice or Justices of the Peace of the West Riding of the said County of *York*; which said Justice or Justices is and are hereby authorized to hear and examine Witnesses upon Oath, and determine the same; and may, according to his or their Discretion, mitigate any Fine, Penalty, or Forfeiture, herein before allowed to be mitigated; and all Fines, Forfeitures, and Penalties, by this Act imposed and inflicted, the Application whereof is not herein

Penalties and Forfeitures how to be recovered and applied.

before particularly directed, shall be paid to the said Sir *John Ramsden*, his Heirs or Assigns, and shall be applied and disposed of for the Use of the said Navigation.

Distress not unlawful for want of Form,

nor the Party distraining be deemed a Trespasser *ab initio*.

Persons aggrieved may appeal to the Quarter Sessions.

LV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of 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 other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

LVI. Provided always, and be it enacted, That all Persons who shall think themselves aggrieved by the Order or Judgment of any Justice or Justices of the Peace, or any of the said Commissioners, upon account of any Offence committed, or supposed to be committed, against this Act, may appeal to the Justices of the Peace for the West Riding of the said County of *York*, at their General or Quarter Sessions of the Peace, within six Months next after such Cause of Appeal shall have arisen; the Person or Persons so appealing giving Security to the Satisfaction of the said Justice or Justices to prosecute such Appeal with Effect, and to pay the Costs which shall be allowed and ascertained by the said General or Quarter Sessions, in case such Order or Judgment shall be affirmed; and the Justices, at such General or Quarter Sessions, are hereby authorized and required to hear and determine such Appeal, and to make such Order therein, and award such Costs to the Party appealing or appealed against, as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ of *Certiorari*, or otherwise, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere.

Limitation of Actions.

LVII. And be it further enacted, That if any Action, Suit, or Information, shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions herein-before given or granted, every such Action, Suit, or Information, shall be brought and commenced within six Months next after the Fact committed for which such Action or Suit shall be commenced, and not afterwards, and shall be brought, laid, and tried, in the County of *York*, and not elsewhere; and the Defendant or Defendants, in all such Actions or Suits, may plead the General Issue, and give this Act, and the special Matter, in Evidence, at any Trial or Trials to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any Action, Suit, or Information, shall be brought after the Time before limited for bringing the same, or shall be brought or laid in any other County or Place than as aforesaid; that then, and in every or any such Case, the Jury shall find for the Defendant or Defendants; and if a Verdict or Verdicts shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants in every such Case shall have Treble Costs, and shall have such Remedy for Recovery of the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

General Issue.

Treble Costs.

Sir John Ramsden's Trustees to carry this Act into Execution during his Minority.

LVIII. And whereas it will be for the Benefit of the said Sir *John Ramsden*, and of all Persons who have Estates near the said Town of *Huddersfield*, that the said Canal should be made and completed as soon as conveniently can be done: And whereas the said Dame *Margaret Ramsden*, and *Thomas Ramsden* Esquire, are willing to proceed in the Execution of this Act, during the Minority of the said Sir *John Ramsden*, in case they are authorized so to do; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful for the said Dame *Margaret Ramsden*, and *Thomas Ramsden* Esquire, or the Survivor of them, and the Heirs, Executors, and Administrators of such Survivor, and they are hereby fully authorized and empowered (during the Minority of the said Sir *John Ramsden*), to proceed in the Execution of this Act, and to cause the said Canal to be made, and all other Works, Matters, and Things, whatsoever relative thereto, to be done, performed, and executed, for the making and completing the said Navigation, agreeable to the Directions of this Act; and all Contracts, Agreements, Acts, Matters, and Things whatsoever, which shall be entered into, done, performed, and executed, by the said Dame *Margaret Ramsden*, and *Thomas Ramsden*, or the Survivor of them, or the Heirs, Executors, or Administrators, of such Survivor, in pursuance of this Act (during the Minority of the said Sir *John Ramsden*), shall be good, valid, and effectual in the Law, to all Intents, Constructions, and Purposes whatsoever; and shall be binding upon the said Sir *John Ramsden*, his Heirs and Assigns, and upon all other Persons and Parties whatsoever.

Publick Act.

LIX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be, a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. XIV.

An Act to repeal a Clause in an Act, made in the thirteenth Year of his present Majesty's Reign, 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*; which regulates the Width of the Wheels, and the Length of Carriages liable to be weighed; and for indemnifying Persons who have offended against the said Clause.

WHEREAS by a Clause in an Act of Parliament, made in the thirteenth Year of his present Majesty's Reign, 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 no Carriage, liable to be weighed by virtue of the said Act, shall pass along any Turnpike Road, being above Twenty Miles from the Cities of London or Westminster, unless the same shall be made and constructed in such Manner that no Pair of the Wheels thereof shall be wider than four Feet six Inches from Inside to Inside, to be measured on the Ground (except Wheels having the Soles of the Fellies thereof of the Breadth of nine Inches, which shall be so constructed as to roll a Surface of sixteen Inches, and that the wider Pair of such Wheels shall not be more than five Feet eight Inches from Inside to Inside, to be measured on the Ground); and that the Distance from the Centre of the Fore Wheel to the Centre of the Hind Wheel of any Waggon or four-wheeled Carriage, not being used for the Carriage of Timber only, be not above nine Feet, to be measured from the Centre of the Axle-trees at the Ends thereof, on Pain of the Owner or Owners of every such Waggon, Wain, or Cart, forfeiting the Sum of five Pounds for every such Offence; and that the Surveyor or Surveyors, Gate-keeper or Gate-keepers, of any Turnpike Road, is and are thereby authorized and required, at any Turnpike or Toll-gate, or at any other Place upon the Turnpike Road, to measure every such Waggon, Wain, or Cart; and if any Master, or Driver of any Waggon, Wain, or Cart, shall hinder, or refuse to permit such Surveyor or Surveyors, Gate-keeper or Gate-keepers, to measure such Waggon, Wain, or Cart, as aforesaid, he or she shall forfeit the Sum of five Pounds; and that it shall not be lawful for any such Waggon, Wain, or Cart, not permitted to be measured as aforesaid, to pass along any Turnpike Road: And whereas the Provisions in the said Clause contained have been found very 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 the said Clause shall be, and is hereby declared to be, repealed.

Preamble.
Clause in Act
13 Geo. 3.
repealed.

II. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who hath or have offended, or been guilty of any Omission, touching the Execution of the said Clause, shall be, and is and are hereby indemnified against any Penalty or Forfeiture for the same; and that all personal Actions and Suits, Indictments, Informations, Prosecutions, and Proceedings whatsoever, which have been, or shall be, prosecuted or commenced against any Person or Persons, for or by reason of any such Offence or Omission, shall be, and are hereby made, void, to all Intents and Purposes whatsoever.

Persons guilty
of Omissions
touching the
Execution of the
said Clause, are
indemnified;
and personal
Actions for such
Offence, made
void.

C A P. XV.

An Act for making perpetual two Acts, passed in the tenth and eleventh Years of the Reign of his present Majesty, for regulating the Trials of controverted Elections, or Returns of Members to serve in Parliament.

WHEREAS an Act, passed in the tenth Year of the Reign of His present Majesty, intituled, *An Act to regulate the Trials of controverted Elections, or Returns of Members to serve in Parliament*, which Act was made to continue for a limited Time only: And whereas another Act, passed in the eleventh Year of the Reign of his said Majesty, 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, or Returns of Members to serve in Parliament*: And whereas the Provisions of the said recited Acts are well adapted to procure to the Commons of this Realm a free and impartial Trial of controverted Elections of Members to serve in Parliament, and have been found, by Experience, to be practicable and beneficial: 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, passed in the tenth and Eleventh Years of his present Majesty, shall be, and are hereby made, perpetual.

Preamble.
Act 10 Geo. 3.
and Act 11
Geo. 3.

made perpetual
by this Act.

C A P. XVI.

Act for amending and rendering more effectual an Act, made in the thirtieth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of March and Wimblington, and in the Parish of Upwell, in the Isle of Ely, and County of Cambridge*), so far as the same relates to the severall Fen Lands and Low Grounds lying in the sixth District, in the said Act described.

Preamble.
Act 30 Geo. 2.

WHEREAS by an Act, made in the thirtieth Year of the Reign of his late Majesty King George the Second, (intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of March and Wimblington, and in the Parish of Upwell, in the Isle of Ely, and County of Cambridge*;) the Commissioners therein named, or to be nominated and appointed in Manner therein mentioned, or any five or more of them, were authorised and impowered, at their first or any General half-yearly Meeting, yearly and every Year, to assess, rate, tax, and charge, all and every the respective Owner or Owners, Occupier or Occupiers, of all and singular the Fen Lands and Low Grounds, situate and being within the sixth District (one of the six Districts into which the Fen Lands and Low Grounds, comprised in the said Act, were by the said Act divided), by an equal and proportionable Tax or Assessment, not exceeding in the Whole the Sum of two Shillings per Acre in one Year; to be paid in such Manner, and at such Times, as the Commissioners for the said sixth District, or any five or more of them, should direct; and to be applied and disposed of in making and maintaining the Works for draining, imbanking, and preserving, the Lands within the said District, and for the other Purposes therein mentioned: And whereas the said yearly Tax or Assessment of two Shillings per Acre has accordingly been charged and levied by the Commissioners acting for the said sixth District, and has, together with the Sum of six hundred Pounds (which by the said Act the Commissioners for the said District were impowered to borrow, and accordingly did borrow), been applied, in pursuance of the Direction given by the said Act, in making and maintaining the Works, and defraying the necessary Expences within the said District: And whereas, notwithstanding that the said Sums of Money have been duly laid out and expended, the same have been found very inadequate to the Purpose of effectually draining the Lands within the said District, which still continue very much annoyed and overflowed with Water; and the severall Owners and Proprietors of Lands within the said District are willing that the same should be charged with an additional Tax, or Assessment, in order to raise Money for completing the Drainage of the Lands within the said District: And whereas such Tax or Assessment cannot be laid, nor the said Lands effectually drained and preserved, without the further Aid and Assistance 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 and may be lawful to and for the Commissioners of the said sixth District, or any three or more of them, at their first or any other General half yearly Meeting, to be held after the passing of this Act, yearly and every Year, over and above the Tax or Assessment of two Shillings per Acre, charged upon the Lands and Grounds lying within the said District by the said former Act, to assess, rate, tax, and charge, all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the Fen Lands and Low Grounds lying within the said District, by an equal and proportionable Tax or Assessment, in any Sum or Sums of Money not exceeding in the Whole four Shillings per Acre in any one Year for every Acre of Fen Lands and Low Grounds lying within the said District: Which said additional Tax or Assessment shall be assessed, levied, collected, paid, and recovered, in the same Manner, and by the same Ways and Means; and shall, together with the Monies to be borrowed on the Credit thereof, be applied and disposed of in and about the particular Works, Banks, Drains, Mills, Engines, and other Matters necessary for draining the said District, in such and the same Manner as the said Tax or Assessment of two Shillings per Acre charged on the Lands and Grounds within the said District, and the Money borrowed on the Credit thereof, are, by the said former Act, directed to be applied; and the said additional Tax or Assessment of four Shillings per Acre, by this Act charged, shall commence and be computed from the first Day of *January*, one thousand seven hundred and seventy-four.

Commissioners
may lay an ad-
ditional Tax.

Penalty on not
paying of Taxes.

II. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay to the Collector or Collectors, Receiver or Receivers, or any other Person or Persons, appointed, or to be appointed, by the said Commissioners of the said District, the Tax or Assessment with which he, she, or they, shall be respectively charged by virtue of the said former, or this present Act, by the Space of two Calendar Months after the same shall have become due and payable; every such Person shall forfeit and pay to such Collector or Collectors, Receiver or Receivers, the further Sum of two Shillings and Sixpence for every twenty Shillings which shall be so in arrear and unpaid, and so in proportion for any greater or less Sum; to be levied by Distress and Sale of his, her, and their Goods and Chattels, in such Manner as the Tax or Assessment granted by the said former, or this present Act, is directed to be levied; and the Monies so forfeited and levied shall be applied towards the Works of the said District.

Clause repealed
in former Act
relating to Qua-
lification of
Commissioners.

III. And be it further enacted, That so much of the said Act, made in the thirtieth Year of the Reign of his late Majesty King George the Second, as regulates the Qualification of Commissioners or Agents for the said sixth District, or prescribes the Number of Commissioners necessary for putting in Execution any of the Powers of the said Act, so far as the same relates to the said District, shall, from and after the passing of this Act, be repealed.

IV. And

IV. And be it further enacted, That from and after the passing of this Act, no Person shall be capable of acting as a Commissioner for executing the said former Act, so far as the same relates to the said sixth District, or this present Act, unless he shall be the real Owner of thirty Acres or more of several Lands, subject to be taxed by virtue of the said former, or this present Act, within the said District, or unless he shall be the real Owner of two or more Lots or Doles to which two or more Rights of Common do belong, on the Commons and Commonable Parts within the said sixth District; any Thing in the said former Act to the contrary notwithstanding.

Qualification of Commissioners.

V. And be it further enacted, That it shall be lawful for any Commissioner of the said sixth District, who is the real Owner of sixty Acres or more of such several Lands or of four or more Lots or Doles within the said sixth District, to appoint, by Writing under his Hand, from Time to Time, and for such Time as he shall think proper, an Agent to act in his Absence as a Commissioner; and every such Agent shall and may, in the Absence of the Person by whom he shall be appointed, act as a Commissioner in the Execution of the said former Act, so far as the same relates to the said sixth District, or this present Act, in such and the same Manner, and as fully, to all Intents and Purposes, as such Commissioner might act if he were personally present.

Owners of sixty Acres of several Lands, or four Lots or Doles, may appoint an Agent to act as a Commissioner.

VI. And be it further enacted, That every Person who shall be Joint Owner with any other Person or Persons of such several Lands, or of such Lots or Doles within the said sixth District, and the Interest or Property of such Person in such Lands, or in such Lots or Doles, shall be equal to, or exceed the respective Quantities of several Lands, or the Numbers of such Lots or Doles, as are herein-before respectively mentioned for the Qualification of Commissioners to act, or to appoint Agents to act in their Absence, in the said sixth District; every such Person shall be, and is hereby respectively impowered to act as a Commissioner, or to appoint an Agent for the said sixth District, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if such Person was distinctly and separately possessed of such Interest or Property in the said sixth District.

Joint Owners of several Lands, &c. may appoint Agents.

VII. And be it further enacted, That the said Commissioners, or any three or more of them, shall and may execute all or any of the Powers of the said former Act, so far as the same relates to the said sixth District, or of this present Act; any Thing in the said former Act to the contrary thereof notwithstanding.

Commissioners may put the former Act, in the sixth District, and this Act, in Execution. For borrowing Money.

VIII. And be it further enacted, That it shall and may be lawful to and for the Commissioners of the said District, or any three or more of them, to borrow, take up, and receive, any Sum or Sums of Money that they shall think proper, upon the Credit of the said Tax or Assessment of four Shillings *per* Acre charged upon the Lands within the said District by virtue of this Act; and, by Writing, without Stamp, under the Hands and Seals of any three or more of the said Commissioners, to mortgage, charge, assign, convey, or incur, the said Tax or Assessment, or any Part or Proportion of such Tax or Assessment, with and for the Repayment of the Sums so borrowed, with such Interest, at such Times, and with such Provisoes and Conditions of Redemption, as shall be agreed upon; and the Sum or Sums of Money, so to be borrowed, shall and may be assigned and transferred in the same Manner as any Sum or Sums of Money, borrowed by virtue of the said former Act, can and may be assigned and transferred.

IX. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, in any-wise to affect, impeach, or lessen, any Right or Priority of Claim which any Person or Persons, who have advanced any Money upon the Credit of the Tax or Assessment charged by virtue of the said former Act upon the Lands to be taxed by virtue of this Act, now have upon such Lands in respect of such Money so advanced; but that the said Lands shall, in the first Place, be liable to the Tax or Assessment charged by the said former Act, and to the Money borrowed thereon; any Thing in this Act to the contrary notwithstanding.

Not to affect the Creditors under former Act.

X. Provided always, and be it enacted, That no more than the Sum of one thousand four hundred Pounds shall be borrowed or owing at any one Time, on the Credit or Security of the said Tax or Assessment of four Shillings *per* Acre, charged by virtue of this Act upon the said District; and that the said Tax or Assessment of two Shillings *per* Acre charged by the said former Act, and the said Tax or Assessment of four Shillings *per* Acre charged by this Act, upon the Lands and Grounds within the said District, shall not, during the Time any principal Monies, or Interest, shall be due on the several Securities thereof, be less, in any one Year, than the several Sums charged upon the said District by the said former or this present Act respectively.

What Sum may be borrowed.

XI. And be it further enacted, That all the Charges and Expences of obtaining and passing this Act shall be borne and defrayed out of the first Monies that shall arise by virtue of this Act.

XII. And, for the greater Ease and Security of any Person or Persons who have advanced and lent, or may be willing to advance and lend, any Sum or Sums of Money on the Credit of the Taxes or Assessments laid by the said former or this present Act, within the said District, be it further enacted, That no Money, except for the Purpose of discharging the Expences incurred in obtaining and passing this Act, shall be applied, or be directed to be applied, by the Commissioners of the said District, at any General Half-yearly or other Meeting, to any of the Purposes of the said former or this present Act, within the said District, unless the Interest then due on the several respective Sums borrowed, or to be borrowed, within the said District, on the Credit of the said former or this present Act, shall have been fully discharged and paid off; or unless Money sufficient for discharging and paying off such Interest shall be reserved in the Hands of the Treasurer or Receiver to the said Commissioners; any Thing in the said former or this present Act contained to the contrary notwithstanding.

Charges of the Act how to be paid. No Money to be applied at such Times as the Interest due on the Money borrowed shall be behind and unpaid.

XIII. And be it further enacted, That in case the Treasurer or Receiver to the said Commissioners shall not pay, or cause to be paid, to the Persons intitled thereto, the Interest that shall be due on the respective Sums borrowed, or to be borrowed, on the Credit of the said former or this present Act, within the said District, on the respective half-yearly Days of Payment, when the same shall become due, or within

Penalty if the Treasurer or Receiver do not pay the Interest when demanded.

twenty

twenty Days after (Demand thereof having first been made to such Treasurer or Receiver), every such Treasurer or Receiver shall, for every such Default or Neglect, forfeit and pay to the Person or Persons who shall be intitled to such Interest so due, and which shall not have been paid, as aforesaid, the Sum of twenty Pounds; such Penalty to be recovered, together with double Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlane, shall be allowed.

Commissioners
impowered to
sell Mills or En-
gines.

XIV. And be it further enacted, That the said Commissioners for the said District, or any three or more of them, shall and may, if they think it necessary, sell, or cause to be sold, all and every the Engines and Mills already erected by virtue of the said former Act, or which shall be erected by virtue of this Act, within the said District, for the best Price that can be got for the same; and shall apply the Money arising by such Sale to the Purposes of the said District.

Engines and
Mills may be in-
sured from Fire.

XV. And be it further enacted, That the said Commissioners, or any three or more of them, shall and may, if they think necessary, cause all and every the Engines and Mills already erected, by virtue of the said former Act, within the said District, or which shall be erected by virtue of this Act, to be insured against Fire in some of the publick Insurance Offices, and from Time to Time to pay the Expence attending such Insurance out of the Monies arising out of the said former Act, or this Act, within the said District.

Distress not un-
lawful for want
of Form, &c.

XVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money, to be levied by virtue of 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, Notice, Warrant of Distress, or other Proceedings, relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

XVII. And, for the more easy and speedy Conviction of Offenders against this Act, and the said former Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or the said former Act, so far as the same relates to the said sixth District, 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, (*videlicet* :)

Form of Con-
viction.

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ A. B. is convicted before me C. D. one of his Majesty's Justices of the Peace for the *Ile of Ely*, or County of *Cambridge*, either on his own Confession, or on the Oath of one or more credible Witnesses or _____ Witnesses, [as the Case shall be,] by virtue of an Act, made in the Fourteenth Year of the Reign of his Majesty King George the Third, (for amending and rendering more effectual an Act, made in the Thirtieth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of March and Wimblington, and in the Parish of Upwell, in the Ile of Ely, and County of Cambridge, so far as the same relates to the several Fen Lands and Low Grounds lying in the sixth District, in the said Act described;*) [specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be.]

Given under my Hand and Seal, the Day and Year above written.

The Clauses of
the former Act
extended to this
Act.

XVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal, alter, or take away, any of the Clauses, Powers, and Authorities, given by the said former Act, to the Commissioners acting by virtue and in pursuance thereof, within the said sixth District; but that every Clause, Power, and Authority, therein contained, shall remain, and be in the same Force and Effect as if this Act had never been made; any Thing herein contained to the contrary thereof notwithstanding: But that all the Clauses, Powers, and Authorities, given by the said former Act, so far as the same relates to the said sixth District, shall extend, and be construed to extend, to this Act, as fully and effectually as if the same were repeated and re-enacted in this present Act; save only and except such Part or Parts thereof as are altered and taken away by virtue of this Act.

Limitation of
Actions.

XIX. And it is hereby further enacted, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any Thing done, or to be done, in pursuance of this Act; every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards; and shall be laid or brought in the Court of Pleas of the said *Ile of Ely*, or in the County of *Cambridge*, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and if in Replevin may justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do, and give this Act, and the special Matter, in Evidence, without specially pleading the same otherwise than as aforesaid, at any Trial to be had thereupon, and that the Fact alleged to have been done was done in pursuance and by Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his, her, or their Suit or Suits, or if any Verdict shall pass against him, her, or them, upon a Demurrer or otherwise; then, and in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover treble Costs, for which he, she, or they, shall have like Remedy as where Costs by Law are awarded.

General Issue.

Treble Costs.

Publick Act.

XX. And be it further enacted and declared, That this Act shall be deemed and allowed in all Courts within this Kingdom, and upon all Occasions whatsoever, to be a Publick Act; and shall be judicially taken Notice of as such by all Courts, Judges, and other Persons, without specially pleading the same.

C A P. XVII.

An Act for appointing Commissioners to put in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-four*, together with those named in two former Acts for appointing Commissioners of the Land Tax.

C A P. XVIII.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thousand seven hundred and seventy-four.

C A P. XIX.

An Act to discontinue, in such Manner, and for such Time as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town, and within the Harbour, of *Boston*, in the Province of *Massachusetts Bay*, in *North America*.

WHEREAS dangerous Commotions and Insurrections have been fomented and raised in the Town of *Boston*, in the Province of *Massachusetts Bay*, in *New England*, by divers ill-affected Persons, to the Subversion of his Majesty's Government, and to the utter Destruction of the publick Peace, and good Order of the said Town; in which Commotions and Insurrections certain valuable Cargoes of Teas, being the Property of the *East India Company*, and on board certain Vessels lying within the Bay or Harbour of *Boston*, were seized and destroyed: And whereas, in the present Condition of the said Town and Harbour, the Commerce of his Majesty's Subjects cannot be safely carried on there, nor the Customs payable to his Majesty duly collected; and it is therefore expedient that the Officers of his Majesty's Customs should be forthwith removed from the said Town: May it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June*, one thousand seven hundred and seventy-four, it shall not be lawful for any Person or Persons whatsoever to lade or put, or cause or procure to be laden or put, off or from any Quay, Wharf, or other Place, within the said Town of *Boston*, or in or upon any Part of the Shore of the Bay, commonly called *The Harbour of Boston*, between a certain Headland or Point called *Nabant Point*, on the Eastern Side of the Entrance into the said Bay, and a certain other Headland or Point called *Alderton Point*, on the Western Side of the Entrance into the said Bay, or in or upon any Island, Creek, Landing-place, Bank, or other Place, within the said Bay or Headlands, into any Ship, Vessel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandise whatsoever, to be transported or carried into any other Country, Province, or Place whatsoever, or into any other Part of the said Province of the *Massachusetts Bay*, in *New England*; or to take up, discharge, or lay on Land, or cause or procure to be taken up, discharged, or laid on Land, within the said Town, or in or upon any of the Places aforesaid, out of any Boat, Lighter, Ship, Vessel, or Bottom, any Goods, Wares, or Merchandise whatsoever, to be brought from any other Country, Province, or Place, or any other Part of the said Province of the *Massachusetts Bay* in *New England*, upon Pain of the Forfeiture of the said Goods, Wares, and Merchandise, and of the said Boat, Lighter, Ship, Vessel, or other Bottom into which the same shall be put, or out of which the same shall be taken, and of the Guns, Ammunition, Tackle, Furniture, and Stores, in or belonging to the same: And if any such Goods, Wares, or Merchandise, shall, within the said Town, or in any the Places aforesaid, be laden or taken in from the Shore into any Barge, Hoy, Lighter, Wherry, or Boat, to be carried on board any Ship or Vessel outward-bound to any other Country or Province, or other Part of the said Province of the *Massachusetts Bay* in *New England*, or be laden or taken into such Barge, Hoy, Lighter, Wherry, or Boat, from or out of any Ship or Vessel coming in and arriving from any other Country or Province, or other Part of the said Province of the *Massachusetts Bay* in *New England*, such Barge, Hoy, Lighter, Wherry, or Boat, shall be forfeited and lost.

Preamble.

Regulations, after June 25, 1774, to be observed in lading on the Shore of Boston.

II. And be it further enacted by the Authority aforesaid, That if any Wharfinger, or Keeper of any Wharf, Crane, or Quay, or their Servants, or any of them, shall take up or land, or knowingly suffer to be taken up or landed, or shall ship off, or suffer to be waterborne, at or from any of their said Wharfs, Cranes, or Quays, any such Goods, Wares, or Merchandise; in every such Case, all and every such Wharfinger, and Keeper of such Wharf, Crane, or Quay, and every Person whatever who shall be assisting, or otherwise concerned in the shipping or in the loading or putting on board any Boat, or other Vessel, for that Purpose, or in the unshipping such Goods, Wares, and Merchandise, or to whose Hands the same shall knowingly come after the loading, shipping, or unshipping thereof, shall forfeit and lose treble the Value thereof, to be computed at the highest Price which such Sort of Goods, Wares, and Merchandise, shall bear at the Place where such Offence shall be committed, at the Time when the same shall be so committed, together with the Vessels and Boats, and all the Horses, Cattle, and Carriages, whatsoever made use of in the shipping, unshipping, landing, removing Carriage, or Conveyance of any of the aforesaid Goods, Wares, and Merchandise.

Penalty, if the Wharfingers, or Persons assisting, suffer Goods to be waterborne, contrary to the said Regulations.

Power of the
Admiral, Chief
Commander, &c.

III. And be it further enacted by the Authority aforesaid, That if any Ship or Vessel shall be moored or lie at Anchor, or be seen hovering within the said Bay, described and bounded as aforesaid, or within one League from the said Bay so described, or the said Headlands, or any of the Islands lying between or within the same, it shall and may be lawful for any Admiral, Chief Commander, or Commissioned Officer, of his Majesty's Fleet or Ships of War, or for any Officer of his Majesty's Customs, to compel such Ship or Vessel to depart to some other Port or Harbour, or to such Station as the said Officer shall appoint, and to use such Force for that Purpose as shall be found necessary: And if such Ship or Vessel shall not depart accordingly, within six Hours after Notice for that Purpose given by such Person as aforesaid, such Ship or Vessel, together with all the Goods laden on board thereon, and all the Guns, Ammunition, Tackle, and Furniture, shall be forfeited and lost, whether Bulk shall have been broken or not.

This Act not to
extend to Military
Stores, nor
to Fuel, &c for
the Use of the
Inhabitants.

IV. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Military or other Stores for his Majesty's Use, or to the Ships or Vessels whereon the same shall be laden, which shall be commissioned by, and in the immediate Pay of, his Majesty, his Heirs or Successors; nor to any Fuel or Victual brought Coastwise from any Part of the Continent of *America*, for the necessary Use and Sustainance of the Inhabitants of the said Town of *Boston*, provided the Vessel wherein the same are to be carried shall be duly furnished with a Cocket and Let-pass, after having been duly searched by the proper Officers of his Majesty's Customs at *Marblehead*, in the Port of *Salem*, in the said Province of *Massachusetts Bay*; and that some Officer of his Majesty's Customs be also there put on board the said Vessel, who is hereby authorized to go on board, and proceed with the said Vessel, together with a sufficient Number of Persons, properly armed, for his Defence, to the said Town or Harbour of *Boston*; nor to any Ships or Vessels which may happen to be within the said Harbour of *Boston* on or before the first Day of *June*, one thousand seven hundred and seventy-four, and may have either laden or taken on board, or be there with Intent to load or take on board, or to land or discharge any Goods, Wares, and Merchandise, provided the said Ships and Vessels do depart the said Harbour within fourteen Days after the said first Day of *June*, one thousand seven hundred and seventy-four.

Seizures, Penalties, &c. to be
prosecuted by
any Admiral,
&c.

V. And be it further enacted by the Authority aforesaid, That all Seizures, Penalties, and Forfeitures, inflicted by this Act, shall be made and prosecuted by any Admiral, Chief Commander, or Commissioned Officer, of his Majesty's Fleet, or Ships of War, or by the Officers of his Majesty's Customs, or some of them, or by some other Person deputed or authorized, by Warrant from the Lord High Treasurer, or the Commissioners of his Majesty's Treasury for the Time being, and by no other Person whatsoever: And if any such Officer, or other Person authorized as aforesaid, shall, directly or indirectly, take or receive any Bribe or Reward, to connive at such lading or unlading, or shall make or commence any collusive Seizure, Information, or Agreement for that Purpose, or shall do any other Act whatsoever, whereby the Goods, Wares, or Merchandise, prohibited as aforesaid, shall be suffered to pass either inwards or outwards, or whereby the Forfeitures and Penalties inflicted by this Act may be evaded, every such Offender shall forfeit the Sum of five hundred Pounds for every such Offence, and shall become incapable of any Office or Employment, civil or military; and every Person who shall give, offer, or promise, any such Bribe or Reward, or shall contract, agree, or treat with, any Person, so authorized as aforesaid, to commit any such Offence, shall forfeit the Sum of fifty Pounds.

500l. Penalty
on Persons con-
niving at the
lading or un-
lading of Goods,
&c.

Penalties inflicted
by this Act
how to be pro-
secuted, &c.

VI. And be it further enacted by the Authority aforesaid, That the Forfeitures and Penalties inflicted by this Act shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures inflicted by any Act or Acts of Parliament, relating to the Trade or Revenues of the *British Colonies* or Plantations in *America*, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several Acts of Parliament, the one passed in the fourth Year of his present Majesty, (intituled, *An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending, and making perpetual, an Act passed in the sixth Year of the Reign of his late Majesty King George the Second, intituled, An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America; for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expenses of defending, protecting, and securing, the said Colonies and Plantations; for explaining an Act made in the Twenty-fifth Year of the Reign of King Charles the Second, intituled, An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade; and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and Great-Britain;*) the other passed in the eighth Year of his present Majesty's Reign, (intituled, *An Act for the more easy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the British Colonies and Plantations in America.*)

Charter Party
Bills of Lading
to be void.

VII. And be it further enacted by the Authority aforesaid, That every Charter Party Bill of Lading, and other Contract for consigning, shipping, or carrying any Goods, Wares, and Merchandise whatsoever, to or from the said Town of *Boston*, or any Part of the Bay or Harbour thereof, described as aforesaid, which have been made or entered into, or which shall be made or entered into, so long as this Act shall remain in full Force, relating to any Ship which shall arrive at the said Town or Harbour, after the first Day of *June*, one thousand seven hundred and seventy-four, shall be, and the same are hereby declared to be, utterly void, to all Intents and Purposes whatsoever.

His Majesty, in
respect to the
Haven of Bos-
ton, may, by
Proclamation,
appoint its
Bounds.

VIII. And be it further enacted by the Authority aforesaid, That whenever it shall be made to appear to his Majesty, in his Privy Council, that Peace and Obedience to the Laws shall be so far restored in the said Town of *Boston*, that the Trade of *Great Britain* may safely be carried on there, and his Majesty's Customs duly collected, and his Majesty, in his Privy Council, shall adjudge the same to be true, it shall and may be lawful for his Majesty, by Proclamation, or Order of Council, to assign and appoint the Extent, Bounds, and Limits, of the Port or Harbour of *Boston*, and of every Creek or Haven within the same,

same, or in the Islands within the Precinct thereof; and also to assign and appoint such and so many open Places, Quays, and Wharfs, within the said Harbour, Creeks, Havens, and Islands, for the landing, discharging, lading, and shipping of Goods, as his Majesty, his Heirs or Successors, shall judge necessary and expedient; and also to appoint such and so many Officers of the Customs therein as his Majesty shall think fit; after which it shall be lawful for any Person or Persons to lade or put off from, or to discharge and land upon, such Wharfs, Quays, and Places, so appointed within the said Harbour, and none other, any Goods, Wares, and Merchandise whatever.

IX. Provided always, That if any Goods, Wares, or Merchandise, shall be laden or put off from, or discharged or landed upon, any other Place than the Quays, Wharfs, or Places, so to be appointed, the same, together with the Ships, Boats, and other Vessels employed therein, and the Horses, or other Cattle or Carriages used to convey the same, and the Person or Persons concerned or assisting therein, or to whose Hands the same shall knowingly come, shall suffer all the Forfeitures and Penalties imposed by this or any other Act on the illegal shipping or landing of Goods.

Proviso as to Goods, &c. laden or landed on Places prohibited.

X. Provided also, and it is hereby declared and enacted, That nothing herein contained shall extend, or be construed, to enable his Majesty to appoint such Port, Harbour, Creeks, Quays, Wharfs, Places, or Officers, in the said Town of Boston, or in the said Bay or Islands, until it shall sufficiently appear to his Majesty that full Satisfaction hath been made by or on Behalf of the Inhabitants of the said Town of Boston to the United Company of Merchants of England trading to the East-Indies, for the Damage sustained by the said Company by the Destruction of their Goods sent to the said Town of Boston, on board certain Ships or Vessels as aforesaid; and until it shall be certified to his Majesty, in Council, by the Governor, or Lieutenant Governor, of the said Province, that reasonable Satisfaction hath been made to the Officers of his Majesty's Revenue, and others, who suffered by the Riots and Insurrections above mentioned, in the Months of November and December, in the Year one thousand seven hundred and seventy-three, and in the Month of January, in the Year one thousand seven hundred and seventy-four.

Not to extend to enable his Majesty to appoint Ports, Creeks, &c. till Satisfaction be made to the East India Company.

XI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced, either in Great Britain or America, against any Person or Persons, for any Thing done in pursuance of this Act of Parliament, the Defendant or Defendants, in such Action or Suit, may plead the General Issue, and give the said Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer, against the Plaintiff, the Defendant or Defendants shall recover treble Costs, and have the like Remedy for the same, as Defendants have in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

C A P. XX.

An Act for the Relief of Prisoners charged with Felony, or other Crimes, who shall be acquitted or discharged by Proclamation, respecting the Payment of Fees to Gaolers, and giving a Recompence for such Fees, out of the County Rates.

WHEREAS Persons in Custody for Felonies, or other Crimes, or on Suspicion thereof, or as Accessaries thereto, though no Bills of Indictment are afterwards preferred or found against them, or they are acquitted on their Trials, are nevertheless frequently detained for certain Fees to the Sheriffs, Gaolers, or Keepers of Prisons, in whose Custody they happen to be, which is both oppressive and unjust: For Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Prisoner who now is, or hereafter shall be, charged with any Felony or other Crime, or as an Accessary thereto, before any Court holding criminal Jurisdiction, within that Part of Great Britain called England and Wales, against whom no Bill of Indictment shall be found by the Grand Jury, or who, on his or her Trial, shall be acquitted, or who shall be discharged by Proclamation, for want of Prosecution, shall be immediately set at large in open Court, without the Payment of any Fee or Sum of Money to the Sheriff, Gaoler, or Keeper of the Gaol or Prison, from whence he or she shall be so discharged, and set at Liberty, for or in respect of such Discharge.

Preamble.

Prisoners charged with Felony or other Crimes in England for want of Prosecution to be set at large.

II. And be it further enacted by the Authority aforesaid, That all such Fees as have been usually paid, or payable, to the several Sheriffs, Gaolers, and Keepers of Prisons in England and Wales, in any of the Cases aforesaid, shall absolutely cease, and the same are hereby abolished and determined; and from and after the passing of this Act, no Gaoler, or Keeper of any Gaol or Prison, shall ask, demand, take, or receive, any Sum or Sums of Money from any of the said Prisoners, as Fees, for, upon, or in respect of his or her Discharge.

Sheriffs, Gaolers, or Keeper's Fees, abolished.

III. And be it further enacted by the Authority aforesaid, That, in Lieu of such Fees so abolished as aforesaid, the Treasurers, or other proper Officers of the several Counties, or of such Districts, Hundreds, Ridings, or Divisions, of a County, as are not usually assessed to the County at large, and of such Cities, Towns Corporate, Cinque Ports, Liberties, Franchises, and Places, as do not pay to the Rates of the several Counties in which they are respectively situated, shall, on receiving a Certificate, signed by one or more Judge or Justice, before whom such Prisoner shall have been discharged as aforesaid, (which Certificate the Judge or Justice is hereby required to give), pay out of the Rates of such County, or of such District, Hundred, Riding, or Division, or out of the publick Stock of such City, Town Corporate, Cinque

The Treasurers of Counties, &c. as are not assessed at large, on Receipt of a Certificate, signed by a Judge, &c. shall pay to such Gaolers not exceeding 13s. 4d. in lieu of such Fees.

Cinque Port, Liberty, Franchise, or Place, such Sum as has been usually paid upon that Occasion, not exceeding thirteen Shillings and Four-pence for every Prisoner so discharged as aforesaid, to the Sheriff, Gaoler, or Keeper of the Prison, whence the said Prisoner shall have been discharged as aforesaid; which several Sums, so paid in pursuance of this Act, shall be respectively allowed to the said Treasurers and Officers by the Justices before whom their Accounts shall be passed.

C A P. XXI.

An Act for more effectually carrying into Execution certain Proposals, made by the most Noble Henry Duke of *Buccleugh*, the most Noble Charles Duke of *Queensberry* and *Dover*, and others, for redeeming the Annuities granted by the Company of the Bank of *Ayr*, in that Part of *Great Britain* called *Scotland*, known under the Firm of *Douglas, Heron, and Company*.

Preamble.

WHEREAS the most Noble Henry Duke of *Buccleugh*, the most Noble Charles Duke of *Queensberry* and *Dover*, the Right Honourable Patrick Earl of *Dumfries*, Archibald Douglas of *Douglas* Esquire, and a considerable Number of other Persons, did, in the Year of our Lord one thousand seven hundred and sixty-nine, enter into a Partnership, and subscribe a Capital or Stock of one hundred and sixty thousand Pounds, or thereabouts, for carrying on the Business of Banking in that Part of *Great Britain* called *Scotland*, under the Firm of *Douglas, Heron, and Company*, with Intention chiefly of improving Manufactures and Agriculture, by accommodating and extending the Credit of the Manufacturers and Farmers of that Part of the Kingdom: And whereas, by too great an Enlargement of the Credit given to the Manufacturers, Farmers, and others, the Partnership did, in *June*, one thousand seven hundred and seventy-two, come to be in great Want of Money to satisfy the Demands made upon them, owing to the Check given to Credit by the many Bankruptcies that happened at that Time in different Parts of this Kingdom: And whereas the Copartners in the said Company, in order to raise Money to satisfy the Demands upon them, and thereby prevent the Bankruptcy of many, which their stopping Payment would necessarily have occasioned, did raise, on granting Annuities for one and two Lives, the Sum of four hundred and fifty thousand Pounds, and upwards, subject to a Power given by the Purchasers of the said Annuities, by verbal Agreement, for the said Copartners to redeem the said Annuities, by repaying the Purchase-money originally given for the said Annuities, and one Half-year's Annuity more, as a Premium for such Power of Redemption: And whereas the said Copartners, in order to extricate their Affairs, and to enable them to redeem their said Annuities, did, at a General Meeting, held on the twelfth Day of *August*, one thousand seven hundred and seventy-three, resolve to discontinue the said Banking Business, and nominated and appointed the Persons following, being twelve of the Copartners, or any three of them, to be a Committee, with Power to do every Thing necessary for managing and winding up the Affairs of the Partnership that could be done by the Resolutions of a General Meeting: *videlicet*, The said Henry Duke of *Buccleugh*, the said Charles Duke of *Queensberry* and *Dover*, Archibald Douglas of *Douglas*, John Hamilton of *Sundrum*, Alexander Ferguson of *Craigdarroch*, Ilay Campbell, David Ferguson, Alexander Wight, John Campbell, Andrew Crosbie, George Home, and Alexander Mackenzie, Esquires: And whereas, at another Meeting of the said Copartners, held on the twenty-first Day of *December*, one thousand seven hundred and seventy-three, the Persons following were added to the said Committee, *videlicet*, Thomas Lockhart, Esquire, Commissioner of Excise, and John Syme Writer to the Signet, and any five of the said Committee were declared to be a Quorum, for executing all Business: And whereas the said Committee, after much Consideration of the most proper and effectual Method of redeeming the said Annuities, finding it was impossible to raise any considerable Sum for that Purpose out of the Funds of the Partnership, without bringing great Distress upon their Debtors, and injuring the Credit of that Part of the Kingdom where they chiefly resided, did call a Meeting of the Annuitants together, on the ninth Day of *February*, one thousand seven hundred and seventy-four, and deliver to them, in Writing, the following Proposals: First, That his Grace the Duke of *Buccleugh*, the Duke of *Queensberry*, Archibald Douglas Esquire, and others, being the present Committee, chosen and appointed by a General Meeting of Proprietors at *Edinburgh*, to manage the Affairs of the said Messieurs *Douglas, Heron, and Company*, do execute Bonds of fifty Pounds each, some few broken Sums excepted, to the Amount of the original Sums paid for the said Annuities, with the Addition of half a Year's Purchase, or fifty Pounds more, on every Annuity of one hundred Pounds, and *pro rata* for every greater or lesser Annuity, the said Committee binding themselves, and their Heirs and Executors, and having a Power to bind all the Partners of the said Company, and their Heirs and Executors, to the due Performance of the Obligations in the said Bonds: Second, That the said Bonds of fifty Pounds each, carrying an Interest of five Pounds per hundred Pounds, be made payable to a Person named, his Executors, Administrators, or Assigns, by Indorsement, and rendered to all Intents and Purposes negotiable and vendable, like *East India Bonds*, Navy, and Exchequer Bills, or any Effects of a similar Nature: Third, That as the Principal of the said Bonds, the Premium of Redemption included, is estimated nearly at four hundred and eighty thousand Pounds, the Interest at five per Centum thereon is twenty-four thousand Pounds per Annum, it is further proposed, that specifick Estates in Land unentailed in *Scotland*, to the clear Amount in Rent of thirty-two thousand Pounds per Annum, or upwards, be subjected, by Mortgage, as a corroborative Security for the Discharge of the Principal and Interest of the said Bonds; that is to say, Of the Interest every Half-year in *London*; and of the Principal by four Installments, *videlicet*, One fourth Part, as nearly as the Whole may be conveniently divided, at *Mid-Summers*,

' *summer*, one thousand seven hundred and seventy-eight; one fourth Part at *Midsummer*, one thousand
 ' seven hundred and seventy-nine; one fourth Part at *Midsummer*, one thousand seven hundred and
 ' eighty; and the last, whether something more or less than a Fourth, at *Midsummer*, one thousand seven
 ' hundred and eighty-two: Fourth, That the Care of investigating the Titles and Values of the said
 ' Estates in Lands, and of executing the Securities in due Form, be left to *James Montgomery* Esquire,
 ' Lord Advocate, and *Henry Dundas* Esquire, Solicitor General, of *Scotland*, with the Approbation, and
 ' under the Inspection, of *Alexander Wedderburn* Esquire, Solicitor General of *England*, and *Joseph*
 ' *Banks*, of *Lincoln's Inn*, Esquire, upon the recent Precedent of a similar Transaction, when a Loan of
 ' fourscore thousand Pounds was furnished to the said Company on the Security of other landed Estates,
 ' under the Care, and by the Advice, of the same learned Gentlemen: Fifth, That after the said landed
 ' Estates, in the present Instance, to the Amount, in Rent, of thirty-two thousand Pounds *per Annum*, or
 ' so much thereof as shall be adequate to the Claim of such Annuitants as shall subscribe their Assent to these
 ' Proposals, shall have been approved of by the said four learned Gentlemen, the Mortgage Deeds, called
 ' *Heritable Bonds* in *Scotland*, shall be made out and assigned to Sir *William Henry Ashhurst*, one of the Judges
 ' of his Majesty's Court of King's Bench, the said Lord Advocate and Solicitor General of *Scotland*, the
 ' said *Alexander Wedderburn* Solicitor General of *England*, *Joseph Banks*, *Richard Glover*, and *Alexander*
 ' *Mackenzie*, Esquires, or to any other Persons in *Scotland* or *England*, in Number more or less, at the
 ' Election of the Annuitants themselves, for the special Purpose of being Trustees, and holding the said
 ' Estates of thirty-two thousand Pounds clear Rent, in Behalf of the Annuitants, for the full and due Per-
 ' formance of the Obligations in the said Bonds, which are to be substituted in lieu of the Annuities by the
 ' said Committee of Messieurs *Douglas*, *Heron*, and *Company*: Sixth, That in case the said Annuitants,
 ' or any Number of them, shall accept of these Offers, and of the before-named seven Persons as Trustees
 ' for all or such Proportion of the said Mortgages as shall be adequate to the Claim of such Number as shall
 ' subscribe their Assent, it is further provided and earnestly desired, that they will appoint three or five Gen-
 ' tlemen, of their own Body, to inspect all the Proceedings relative to this Transaction, and to report the
 ' same at a publick Meeting to be called by the Inspectors: Seventh, That when, with the Approbation
 ' and Concurrence of the said Inspectors, all the Premises above mentioned shall have passed the regular
 ' Forms, and the Holders of Annuities shall be put in Possession of Bonds to the Amount of seven hundred
 ' and fifty Pounds for an Annuity of one hundred Pounds on one Life, and eight hundred and fifty Pounds
 ' for an Annuity of one hundred Pounds on two Lives, and *pro rata* for every greater or lesser Annuity;
 ' and when they shall have received in Money whatever is accrued and due for the Annuities down to the
 ' Date of the new Bonds; that then the old Bonds and Judgments, or other Securities, by which they
 ' claimed their said Annuities, shall be given up, and Satisfaction acknowledged on the said Judgments:
 ' Eighth, That in case any of the Annuitants, who shall sign their Assent to these Proposals, should die
 ' before the final Execution of the same, all the Benefit thereof shall remain to their Heirs and Executors,
 ' as fully and effectually as if the original Annuitants were actually alive; but if the said Proposals should
 ' not be made good, in that Case the present Annuitants shall remain in the same State of Annuitants they
 ' now are: Ninth, That Parliament shall be applied to for an Act, under whose Sanction and Authority
 ' the Bonds may be lawfully issued: And whereas, the Annuitants present at the said Meeting, having
 ' taken the said Proposals into Consideration, did unanimously agree to the same, and the following Memo-
 ' randum was then subscribed by many of the said Annuitants present, and hath since been subscribed by
 ' many others who were not then present; *videlicet*, London, Ninth February, one thousand seven hundred
 ' and seventy-four. *We underwritten Purchasers of Annuities from Messieurs Douglas, Heron, and Company,*
 ' *consent and agree to the within Proposals for the Redemption of the same, and approve of the Trustees named in*
 ' *the fifth Article; and, in Conformity with the Sixth, appoint Sir Thomas Frankland Baronet, Martin Bladen*
 ' *Hawke Esquire, George Dempster Esquire, Peregrine Cust Esquire, and Daniel Giles Esquire, to be*
 ' *our Inspectors over all Proceedings relative to the Execution of the said Proposal: And whereas it would*
 ' *greatly facilitate the redeeming the said Annuities, and save much Trouble and Expence to the said Co-*
 ' *partners, if the Committee appointed for settling the Affairs of the said Copartnership, or any five or*
 ' *more of them, were enabled to issue Bonds for securing the Payment to the respective Annuitants of the*
 ' *principal Money and Interest, according to the said Proposals, or to raise Money thereon for the Redem-*
 ' *ption of the said Annuities, and to make the said Bonds negotiable by Indorsement thereon; but it being*
 ' *apprehended that the same cannot be rendered effectual to answer the Intention of the Parties, or the said*
 ' *Proposals carried into Execution, 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 and may be lawful to and for the said *Henry*
 ' *Duke of Buccleugh*, *Charles Duke of Queensberry* and *Dover*, *Archibald Douglas* of *Douglas* Esquire, *John*
 ' *Hamilton* of *Sundrum*, *Alexander Ferguson* of *Craigdarroch*, *Ilay Campbell*, *David Ferguson*, *Alexander Wight*,
 ' *John Campbell*, *Andrew Croftie*, *George Home*, *Alexander Mackenzie*, *Thomas Lockhart*, and *John Syme*, or
 ' any five of them (of which the said *Henry Duke of Buccleugh*, *Charles Duke of Queensberry* and *Dover*,
 ' and *Archibald Douglas* of *Douglas* Esquire, or any two of them, or the Survivor of them, shall be three,
 ' two, or one, as the Case may happen), to execute and issue Bonds for the Payment of any Sum or Sums of
 ' Money, not exceeding in the Whole five hundred thousand Pounds, for redeeming the Annuities so granted
 ' by the Partnership of *Douglas, Heron, and Company*, as aforesaid, or for raising Money thereon for redeem-
 ' ing the said Annuities, or any Part thereof; each of which said Bonds shall not be for securing less than
 ' fifty Pounds and Interest, and shall be conceived in the following Words, or Words to the like Effect;
 ' (that is to say,)

The Committee
to grant Bonds.

Form of the
Bonds.

‘ **KNOW** all Men by these Presents, That we being a Quorum of the Committee, nominated and appointed by the Copartners of the Partnership in Scotland, which pass under the Firm of *Douglas, Heron, and Company*, with Power to do all Things necessary for extricating the Affairs of the said Company, are held and firmly bound to the Sum of of lawful Money of Great Britain; for the due Payment whereof we bind the said Company, and ourselves, and each of us, and our and each of our Heirs, Executors, and Administrators, and the Copartners of the said Copartnership, and each of them, and their and each of their Heirs, Executors, and Administrators respectively. Witness our Hands this Day of one thousand seven hundred and

The Condition of the above-written Obligation is such, That if the said said Messieurs Douglas, Heron, and Company, do and shall well and truly pay, or cause to be paid, unto the said his Executors, Administrators, or Assigns, the Sum of of lawful Money of Great Britain, at or on the Royal Exchange in the City of London, on the Day of which will be in the Year of our Lord one thousand seven hundred and with Interest for the same in the mean Time, at the Rate of per Centum per Annum, in London, by two half-yearly Payments; that is to say, on the Day of and Day of in every Year, by even and equal Portions, free from all Taxes and Deductions whatsoever, the first Payment thereof to be made on the Day of next ensuing the Date of the said Obligation, then the said Obligation shall be void, or else remain in full Force and Virtue.

Bonds to be
numbered.

Which Bonds so to be given shall be numbered, beginning with Number I. and so proceeding in arithmetical Progression, and shall be entered in a Book, to be kept for that Purpose, by *Kenneth M^r Kenzie of Spring Gardens*, in the City of *Westminster*, Esquire, without Fee or Reward, or by such other Person as shall be appointed by the said Inspectors; and which Bonds shall be inspected and approved of by any one of the said Inspectors in the following Words: *I have inspected, and approve this Bond.*

Heritable Securities to be granted to Trustees.

II. Provided always, that prior to the issuing of the said Bonds, heritable Security shall be granted and constituted to Sir *William Henry Ashurst* Knight, *James Montgomery*, *Alexander Wedderburn*, *Henry Dundas*, *Joseph Banks*, *Richard Glover*, and *Alexander Mackenzie*, Esquires, in Trust, in Terms of the Proposals before mentioned.

All Bonds given by the Trustees to be stamped with a s. 6d. Stamp.

III. And be it further enacted by the Authority aforesaid, That all Bonds to be given by the said *Henry Duke of Buccleugh*, *Charles Duke of Queensberry* and *Dover*, *Archibald Douglas* of *Douglas* Esquire, *John Hamilton* of *Sundrum*, *Alexander Ferguson* of *Craigdarroch*, *Ilay Campbell*, *David Ferguson*, *Alexander Wight*, *John Campbell*, *Andrew Crosbie*, *George Home*, *Alexander Mackenzie*, *Thomas Lockhart*, and *John Syme*, or any five of them (of which the said *Henry Duke of Buccleugh*, *Charles Duke of Queensberry* and *Dover*, and *Archibald Douglas* of *Douglas* Esquire, or any two of them, or the Survivor of them, shall be three, two, or one, as the Case may happen), shall be upon Parchment or Paper, with a Stamp of two Shillings and Sixpence; and shall be assignable by Indorsement upon the original Bond without Stamps, to any Person or Persons whomsoever; and such Bond or Bonds may, in like Manner, be again assignable by Indorsement, without Stamps, as aforesaid, and so *toties quoties*, as often as Occasion shall be or require: And that such Indorsee or Indorsees of such Bond or Bonds shall and may, and they are hereby empowered to bring any Action or Actions, Suit or Suits, at Law or in Equity, in his, her, or their Name or Names, against the Persons so giving such Bond or Bonds as aforesaid, or any of them, their or any of their Heirs, Executors, or Administrators, or any other of the said Copartners of the said Copartnership, their or any of their Heirs, Executors, or Administrators, for the recovering and receiving the several Sums of Money for which such Bond or Bonds shall be so given, and the Interest respectively due for the same, as fully and effectually, to all Intents and Purposes, as though the said Bond or Bonds had been originally given and entered into to such Indorsee or Indorsees.

Bonds to be transferrable by Indorsement without Stamps. Indorsees may bring Actions at Law for the Recovery of their Money.

IV. Provided always, That the said Bonds shall not be negotiable or transferrable by Indorsement after the twenty-fourth Day of *June*, one thousand seven hundred and eighty-two.

Bonds not negotiable by Indorsement after June 24 1782. Proviso.

V. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to affect any Questions or Disputes that have arisen, or may arise, between the different Partners of the said Company, known under the Firm of *Douglas, Heron, and Company*.

Bonds to be personal Estate.

VI. And be it further enacted by the Authority aforesaid, That the aforesaid Bonds of fifty Pounds each, or upwards, shall, notwithstanding the heritable Bonds, and real Security to be given in Trust, as aforesaid, be considered, and taken and held to be personal or moveable Estates, and shall belong to the Executor or Administrator or personal Representative, and not to the Heir of the Creditor, and may be disposed of or transmitted to any Person or Persons, by Deed or Will, in such and the same Manner as any other personal Estate is disposed of or transmitted in *Scotland* or *England*; any Law, Custom, or Usage, to the contrary notwithstanding.

Publick Act.

VII. And be it further enacted and declared by the Authority aforesaid, That this Act shall be deemed, taken, and allowed, in all Courts within *England* or *Scotland*, to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

C A P. XXII.

An Act to enable his Majesty to grant unto Major General *Simon Frazer* the Lands and Estate of the late *Simon Lord Lovat*, upon certain Terms and Conditions.

WHEREAS by an Act, made in the twenty-fifth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for annexing certain forfeited Estates in Scotland to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of Scotland, and preventing Disorders there for the future*; all and every the Lands, Lordships, Baronies, Patronages, Tithes, Salmon Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty by the Attainder of *Simon late Lord Lovat*, were unalienably annexed to the Imperial Crown of these Realms: And whereas, before the Attainder of the said *Simon late Lord Lovat*, his said Estate was settled by a Deed of Entail, which coming to be tried before the Court of Session in Scotland, the Estate was determined to be forfeited by a Majority of one Voice, and that Judgment was not appealed from: And whereas, in the Year one thousand seven hundred and forty-seven, Proof was brought before Parliament of the Means used to involve *Simon Frazer*, eldest Son of the said *Simon late Lord Lovat*, in the late unnatural Rebellion, at a tender Age; and the said *Simon Frazer*, ever since he was capable of acting for himself, hath testified his Loyalty to his Majesty and the Royal Family, and proved the Sense he entertained of the Excellence of the happy Constitution of this Country, by declining to engage in the Service of a foreign State, though destitute of any Establishment here; and by dedicating himself to the Service of his Country at the Beginning of the late War; upon which Occasion he raised, in a very short Time, a large Body of Men, and commanded a Regiment composed of them, with which he served meritoriously during the Course of it; and was the first who offered to set that Example, which, in its Consequences, proved advantageous to the State, by calling forth, from a Corner of the Kingdom, many thousand Soldiers, whose Efforts to demonstrate their Zeal and Attachment to his Majesty's Royal Person and Government contributed to the Glory and Success of that War: And whereas the said *Simon Frazer* hath, in the Course of his Service, attained the Rank of Major General in his Majesty's Army, and since the Peace hath been employed, by his Majesty's Command, in the Service of a Power whose Alliance this Country hath always deemed important: By all which his Case appears to be peculiarly distinguished: May it therefore please your Majesty (upon the humble Petition of the said Major General *Simon Frazer*), that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to his Majesty, his Heirs and Successors, to give, grant, and dispose unto the said Major General *Simon Frazer*, his Heirs and Assigns, all and every the Lands, Lordships, Baronies, Patronages, Tithes, Salmon and other Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty, by the Attainder of the said *Simon late Lord Lovat*, and which were annexed to the Imperial Crown of these Realms, by the before-recited Act of the twenty-fifth Year of the Reign of his said late Majesty, in the same Manner, and as fully and extensively, to all Intents and Purposes, as the same, and every Part and Parcel thereof, were vested in his said late Majesty by the Attainder of the said *Simon late Lord Lovat*, and as the same, and every Part and Parcel thereof, were held, enjoyed, and possessed, by the said *Simon late Lord Lovat*, before his Attainder; any Thing in the said before-recited Act of the twenty-fifth Year of the Reign of his said late Majesty to the contrary notwithstanding: Subject always, nevertheless, to, and chargeable with, the Payment to his Majesty, his Heirs and Successors, of the Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling of principal Money, together with Interest for the same, at the Rate of three Pounds Sterling per Centum per Annum, the said principal Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling to be, and the same is hereby declared to be, payable unto his Majesty, his Heirs and Successors, by the said Major General *Simon Frazer*, his Heirs and Assigns, at any Term of *Whitsunday* that the same shall be demanded after the Term of *Whitsunday* that shall be in the Year of our Lord one thousand seven hundred and eighty-four, upon twelve Months previous Notice to be for that Purpose given, in Writing, to the said Major General *Simon Frazer*, his Heirs or Assigns; and the said Interest to commence from the Term of *Whitsunday* which shall immediately follow the Date of the aforesaid Grant, and to be paid annually afterwards to his Majesty, his Heirs and Successors, or to the Receiver-general for the time being of the Rents, Revenues, and Casualties, belonging to the Crown in Scotland, on Behalf of his Majesty, his Heirs and Successors, at every following Term of *Whitsunday*, so long as the aforesaid Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling, of principal Money, shall continue and remain unpaid.

II. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to, and in the Power of, the said Major General *Simon Frazer*, his Heirs and Assigns, to make Payment to his Majesty, his Heirs and Successors, or to the Receiver general aforesaid for the Time being, on Behalf of his Majesty, his Heirs and Successors, of the aforesaid Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling, with so much Interest thereof, at the Rate aforesaid, as shall happen to be due at the Time, at any Term of *Whitsunday*, after the Term of *Whitsunday* which shall be in the Year of our Lord one thousand seven hundred and seventy-four; and that on such Payment being made, the said Receiver-general for the Time being shall have Power and Authority, and he is hereby empowered, authorized, and required, to execute, on Behalf of his Majesty, his Heirs and Successors, and to deliver to the said Major General *Simon Frazer*, his Heirs and Assigns, a full and ample

Preamble.
Act 25, Geo. 2.

His Majesty, &c., may grant unto Major General *Simon Frazer* all the Lands &c. forfeited by the Attainder of *Simon late Lord Lovat*.

but subject to the Payment of 20,983 l. 1 s. d. Sterling, with Interest at 3 l. per Cent. at any Term after *Whitsunday*: 1784.

Major General *Frazer* may make Payment of the aforesaid Sum at any Term of *Whitsunday*: 1774. and his Majesty is empowered to give a full and ample Discharge according to the

Forms of Law
in Scotland.

Discharge and Renunciation of the said Money, Principal, and Interest, prepared according to the Forms prescribed by the Law of *Scotland*, for discharging and renouncing an heritable Debt or Incumbrance upon a real Estate in that Part of the united Kingdom; and that the Receipts or Discharges which shall be from Time to Time given to the said Major General *Simon Frazer*, his Heirs and Assigns, by the said Receiver-general for the Time being, on receiving Payment of the Interest Money above mentioned, and also the Discharge and Renunciation hereby directed and required to be executed and delivered by the said Receiver-general for the Time being, on receiving Payment of the aforesaid Principal Money, and Interest thereof, due at the Time of such Payment, shall be good, valid, and sufficient Acquittances, and a good, valid, and sufficient Discharge and Renunciation to the said Major General *Simon Frazer*, his Heirs and Assigns, in the same Manner, and as effectually, to all Intents and Purposes, as if the said Receipts, and the said Discharge and Renunciation, had been granted by his Majesty, his Heirs or Successors; any Law or Usage to the contrary notwithstanding.

After the Date
of the Grant by
his Majesty, the
Act 25 Geo. 2.
with respect to
the Estate of the
late Lord Lovat,
to be repealed.

III. And be it further enacted by the Authority aforesaid, That from and after the Date of such Grant so to be made by his Majesty, his Heirs or Successors, of all and every the Lands, Lordships, Baronies, Patronages, Tithes, Salmon and other Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty by the Attainder of the said *Simon* late Lord *Lovat*, and which were afterwards, by the before-recited Act of the twenty-fifth Year of the Reign of his said late Majesty, annexed to the Imperial Crown of these Realms, the said Act of the twenty-fifth Year of the Reign of his said late Majesty, so far as it relates to the before-mentioned Lands, Lordships, Baronies, Patronages, Tithes, Salmon and other Fishings, and other like Heritages and Estates whatever, forfeited by the Attainder of the said *Simon* late Lord *Lovat*, and annexed as aforesaid, shall be, and the same is hereby repealed: And all and every the said Lands, Lordships, Baronies, Tithes, Salmon and other Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty by the Attainder of the said *Simon* late Lord *Lovat*, shall from thenceforth be disannexed from the Imperial Crown of these Realms, in the same Manner, and as fully and effectually, as if the said Act of the twenty-fifth Year of the Reign of his said late Majesty had never been made; any Thing in the said Act to the contrary notwithstanding.

Saving Clause
with respect to
Bodies Politick,
&c.

IV. Saving to all and every Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the King's most Excellent Majesty, his Heirs and Successors), all such Estates, Rights, Titles, Interests, Claims, and Demands, of, into, and out of, the Lands and Premises to be granted as aforesaid, as they, every, or any of them, had before the passing this Act, or should or might have held or enjoyed, in case this Act had never been made.

C A P. XXIII.

An Act for amending, and rendering more effectual, several Acts of Parliament of the sixteenth and seventeenth, and twenty-second Years of King *Charles* the Second, and of the eleventh Year of his late Majesty, for draining and preserving certain Lands called *Deeping Fens*, in the County of *Lincoln*.

Preamble.

WHEREAS two several Acts of Parliament have been made and passed, one in the sixteenth and seventeenth Years of his late Majesty King *Charles* the Second, and the other in the twenty-second Year of his said late Majesty, for draining *Deeping Fens*, and other Fens therein mentioned: And whereas, in the eleventh Year of the Reign of his late Majesty King *George* the Second, another Act was made and passed, to enable the Adventurers, Owners, and Proprietors, of the said Fens to raise a competent Sum of Money, for the effectual Drainage and future Preservation thereof, and for other Purposes in the said Act mentioned: And whereas the Lands intended to be drained by the said Acts contain thirty thousand Acres or thereabouts, although no more than ten thousand and thirty-six Acres thereof are liable to, and chargeable with, the Taxes for draining the said Lands, and for making, erecting, maintaining, and repairing the Drains, Banks, and other Works thereunto belonging: And whereas such Part of the River *Welland* as lies within the Town of *Spalding*, between *Hawthorn Bank* and the Outfall at Sea, has of late Years been very much contracted by several Wharfs and Buildings which have been erected within the Banks of the said River, and the said River below the said Town is in many Parts not of sufficient Capacity to carry off the Water in Times of Flood: And whereas the said Adventurers are at a very great annual Expence in endeavouring to drain and improve the said Lands; but unless they are impowered to widen and cleanse the said River, and unless some further Powers are granted to them, the said Fen Lands and Low Grounds cannot be effectually drained and improved: 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 Adventurers, or any three or more of them, shall have full Power and Authority to take down and remove all such Wharfs, Buildings, Erections, and other Obstructions, built, erected, and made, on the Sides of the said River *Welland*, within the said Town of *Spalding*, between the said *Hawthorn Bank* and the Outfall at Sea (except such Tunnels and Sluices as now lie, or hereafter may be laid into the said River *Welland*, for draining the Lands adjoining the said River *Welland*, the Tunnel herein after particularly mentioned excepted); and that the said River, between *Hawthorn Bank* and the Outfall at Sea aforesaid (after such Obstructions are removed), shall for ever hereafter remain sixty-five Feet wide; and also to take away and remove so much of the whole Length of the several Frontages belonging to the Persons herein-after named, any Quantity not exceeding the several Depths herein-after particularly

Adventurers
may take down
and remove
Wharfs, Build-
ing, &c.

particularly mentioned and expressed; (that is to say,) On the East Side of the said River *Welland*, from the Frontage belonging to *Elizabeth Clarke*, Widow, seven Feet; from the Frontage belonging to *Ann Parkinson*, and now in the Tenure or Occupation of *John Hutchin*, seven Feet; from the Frontage belonging to the said *John Hutchin*, ten Feet; from the Frontage belonging to the said *Ann Parkinson*, now in the Tenure or Occupation of the said *John Hutchin*, ten Feet; from the Frontage belonging to the said *Ann Parkinson*, now in the Tenure or Occupation of the said *John Hutchin*, six Feet; from the Frontage belonging to *Hannah Bough* Spinster, fifteen Feet; from the Frontage belonging to the said *Hannah Bough*, situate near the *High Bridge*, fifteen Feet; from the Frontage belonging to the said *Hannah Bough*, situate below the said *High Bridge*, fifteen Feet; from the Frontage belonging to the Trustees of the Poor of *Spalding*, sixteen Feet; from the Frontage belonging to *Elizabeth Clarke*, Widow, twenty Feet; from the Frontage belonging to *Doubleday*, eighteen Feet; from the Frontage belonging to *Samuel Sharp*, eighteen Feet; from the Frontage belonging to *Henry Bennet*, twenty Feet and an Half; from the Frontage belonging to Sir *Sampson Gideon* Baronet, twenty Feet and an Half; from the Frontage belonging to *Daniel Arnold*, twenty Feet and an Half; from the Frontage belonging to *John Rosbe*, twenty Feet and an Half; from the Frontage belonging to *Thomas Thorpe*, twelve Feet; from the Frontage belonging to *Mary Heald*, eight Feet; from the Frontage belonging to *Judith Richards*, seven Feet; and from the Frontage belonging to *Ann Stevens*, two Feet; and on the West Side of the said River *Welland*, from the Frontage belonging to *John Massey*, twelve Feet; from the Frontage belonging to *John Grundy* Esquire, in the Tenure or Occupation of *Theophilus Buckworth*, fourteen Feet; from the Frontage belonging to *Owen Scotney*, sixteen Feet; from the Frontage belonging to *John Ellington*, twenty-two Feet; from the Frontage belonging to the said *Henry Bennett*, twenty-four Feet; from the Frontage belonging to the Heirs of *Robie Swan*, twenty-four Feet; from the Frontage belonging to *Theophilus Buckworth* Esquire, in the Tenure or Occupation of *Thomas Thorpe* and *Thomas Pitts*, twenty-four Feet and three Quarters; from the Frontage belonging to the Heirs of the said *Robie Swan*, in the Tenure or Occupation of Widow *Hoyte*, twenty-four Feet; from the Frontage belonging to the said *Theophilus Buckworth* Esquire, in the Tenure or Occupation of *Fullwood Sanderson*, twenty-four Feet; from the Frontage belonging to *John Melburn*, twenty-four Feet; from the Frontage belonging to the Reverend *John Dinham*, twenty-four Feet; from the Frontage belonging to the said *Theophilus Buckworth* Esquire, in the Tenure or Occupation of *Edward Newcombe*, twenty-four Feet and a Quarter; from the Frontage belonging to the Trustees of *Sparkes's Gift* to the Poor of *Spalding*, twenty Feet; from the Frontage belonging to the said *Theophilus Buckworth* Esquire, in the Tenure or Occupation of *John Thistleton*, nineteen Feet; and from the Frontage belonging to *Thomas Foulgham*, twelve Feet; they the said Adventurers paying and making Satisfaction to the several Owners and Proprietors of all such Wharfs, Buildings, Erections, and Frontages, as shall be taken down, removed, or used as aforesaid, before the same shall be taken down, removed, or used, for the Purposes aforesaid; and the said Adventurers are hereby required to remove and take away all such Rubbish or Materials as shall or may arise from taking down or removing any such Wharfs, Buildings, Erections, or Frontages, as aforesaid, within the Space of one Calendar Month from the Time they shall begin to take down or remove the same; and in case the said Adventurers shall neglect to remove and take away all such Rubbish or Materials for the Space of one Calendar Month as aforesaid, it shall and may be lawful to and for the several and respective Owners and Proprietors of such Wharfs, Buildings, Erections, or Frontages, to remove all such Rubbish and Materials, and all the Expences attending such Removal shall be reimbursed such Owners or Proprietors by the said Adventurers.

II. Provided always, and it is hereby declared, That nothing in this Act contained shall authorise the said Adventurers to remove the Tunnel which is opposite to a Warehouse belonging to *William Bailey*, nearer the Turnpike Road than fifteen Feet from the Place where the said Tunnel is now situated. Provido..

III. And be it further enacted, That the said Adventurers, or any three or more of them, shall have full Power and Authority to agree with the Proprietors of, and Persons interested in, any Wharfs, Buildings, Erections, Frontages, Lands, or Hereditaments, which they the said Adventurers, or any three or more of them, shall judge necessary to be taken down, removed, or otherwise made use of, for the Purpose of widening the said River within the Town of *Spalding* as aforesaid, for the Purchase of such Wharfs, Buildings, Erections, Lands, and Hereditaments, or for the Recompence to be made to such Proprietors and Persons interested for the Damage, Loss, or Injury, they may sustain thereby, and also to settle and ascertain in what Proportion the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises; and it shall be lawful for all Guardians, Trustees, and Feoffees in Trust, and all other Trustees whatsoever, Bodies Politick and Corporate, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their cestuique Trusts, and all and every other Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in, any such Wharfs, Buildings, Erections, Lands, or Hereditaments, to contract and agree with the said Adventurers for the Sale of such Wharfs, Buildings, Erections, Lands, or Hereditaments, as shall be necessary to be purchased for the Purposes aforesaid: And all such Contracts and Agreements so entered into, made, and executed, as aforesaid, shall be good and effectual in the Law to all Intents and Purposes whatsoever; and in case it shall happen that any such Guardian, Trustee or Trustees, Bodies Politick and Corporate, or any other Person or Persons interested or concerned as aforesaid, shall, for the Space of fourteen Days after Notice in Writing given to such Guardian or Guardians, Trustee or Trustees, Person or Persons respectively, or left at his, her, or their respective Place or Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers, of such Wharfs, Buildings, Erections, Lands, or Hereditaments, refuse to treat, or shall not agree with the said Adventurers, or any three or more of them; then, and in every such Case, the said Adventurers, or any three or more of them, are hereby impowered, from Time to Time, to issue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of *Lincoln*, or if such Sheriff shall be immediately interested in such Matter, then to one of the Coroners of the

Adventurers³
may purchase
Wharfs, &c.

Guardians, &c.
impowered to
sell.

Persons refusing
to treat, a Jury
to be summoned.

the said County, requiring such Sheriff or Coroner to impanel, summon, and return a Jury, and the said Sheriff or Coroner is hereby required accordingly to impanel, summon, and return, twenty-four Men qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at *Westminster*, to appear before such Sheriff or Coroner, at such Time and Place as in such Warrant or Warrants shall be appointed, in order that out of them a Jury of twelve may be sworn to inquire touching the Matters in question; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff or Coroner shall return other honest and indifferent Men that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of twelve; and all Parties concerned may have their Challenges against any of the said Jurymen; and the said Sheriff or Coroner is hereby empowered and required (at the Instance and Request of either of the Parties interested in the Matters in question), by a Warrant or Warrants under his Hand and Seal, from Time to Time, as Occasion shall require, to summon and call before him all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question, not being interested therein; and the said Sheriff or Coroner may order and authorise the said Jury, or any six or more of them, to view the Place or Places, or Matters, in Controversy; which Jury (upon their Oaths, to be administered by the said Sheriff or Coroner, which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff or Coroner is hereby empowered to administer) shall enquire of, assess, and ascertain, the Sum or Sums of Money to be paid for the Purchase of such Wharfs, Buildings, Erections, Lands, or Hereditaments, or the Recompence to be made for Damages that may or shall be sustained as aforesaid, and to settle and ascertain in what Proportion the Sum or Sums so assessed shall be paid to the several Persons interested in the Premises; and the Verdict of such Jury shall be binding to all Intents and Purposes against all Parties whatsoever.

Jurors may be challenged.

Witnesses may be summoned and examined upon Oath.

Verdicts of the Jury to be filed with the Clerk of the Peace.

After Satisfaction is made, Adventurers may proceed in the Works.

Expences of the Jury how to be borne.

What Works are to be done by the Adventurers.

IV. And be it further enacted, That all such Verdicts which shall be given in relation to any such Wharfs, Buildings, Erections, Lands, or Hereditaments, as aforesaid, shall be delivered to the Clerk of the Peace for the Parts, Division, or Place, wherein such Wharfs, Buildings, Erections, Lands, or Hereditaments, are situated, and shall be filed with the Rolls of such Parts, Division, or Place; and the same, or a true Copy thereof, shall be admitted as Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, upon paying for every Inspection the Sum of one Shilling; and the Clerk for every such Parts, Division, or Place, shall deliver a true Copy of such Inrolment, or any Part thereof, to any Person or Persons who shall demand the same, he or they paying for every such Copy, not exceeding two hundred Words, the Sum of Sixpence, and so in proportion for any greater Number of Words.

V. And be it further enacted, That, upon Payment of such Sum or Sums of Money as shall be agreed upon between the said Adventurers, or any three or more of them, and the Party or Parties interested, or of such Sum or Sums of Money as shall be assessed by any such Jury to such Party or Parties, or legal Tender thereof made, the said Adventurers, and their Agent or Agents, Servants, Labourers, and Workmen, shall have full Power and Authority to pull down such Wharfs and Buildings, and to enter upon such Lands and Hereditaments, in respect whereof such Monies were so agreed for or assessed, for the Purposes of this Act, and they shall be and are hereby indemnified for so doing; and all and every Person and Persons shall from thenceforth be, to all Intents and Purposes whatsoever, divested of all Right, Title, Claim, or Interest, of, in, or to the same.

VI. And be it further enacted, That in all Cases where any Verdict shall be given for a greater Sum or Recompence than shall have been offered by or on Behalf of the said Adventurers, or any three or more of them, before the summoning any such Jury, the Expences of summoning such Jury, and the Witnesses attending in consequence thereof, and of taking and returning such Inquest or Verdict, shall be paid by the said Adventurers, or their Treasurer for the Time being, out of the Monies arising from the Taxes to be imposed upon the Lands in the said Fen for the better Drainage thereof; but if any Verdict shall be given for no more or a less Sum than shall have been so previously offered by or on the Behalf of the said Adventurers, or any three or more of them, then, and in every such Case, such Expences shall be paid by the Owners of or Persons interested in the Buildings, Wharfs, or Hereditaments, in question.

VII. And be it enacted by the Authority aforesaid, That the said Adventurers shall, and they are hereby authorised and required, well and sufficiently to build and complete a new Sea Sluice, supported by Dove-tail and grooved Piling, on the South Side of the River *Glen*, at the Distance of one hundred and ten Feet from the present Outfall of the said River, such Sea Sluice to be thirty Feet clear in the Water-way at the least, the Floor of the said Sluice to be laid at least as low as the old Floor of the Reservoir Sluice; and shall also build a new Sluice at or near the present *Podehole* Sluice, the clear Water-way of which shall be made and continued of less Capacity, by three Feet at the least, than the said Sea Sluice, to drain the said Fens called *Deeping Fens*, and also the low Lands in *Pinchbeck* and *Spalding*, and shall continue, by a new Cut, the Drain called *Vernal's Drain*, down to the said intended Outfall Sluice; and make the said Drain from a Place called *Podehole Sluice* to the said intended Outfall Sluice, not less than forty Feet wide at the Top, nor less than twenty Feet wide at the Bottom, with the said Bottom sunk as low as, and upon a Level with, the Floor of the said Outfall Sluice, with Forelands of ten Feet at least, except in such Places where it shall not be found necessary to remove the old Banks; and that the said Adventurers shall, and they are hereby also required to make and continue the Drain called *Langtoft Rost*, thirty Feet wide at the least, and the Drain called *North Drove Dike*, twenty Feet wide at the least, and the Drain called *Black Dike Rost*, thirty Feet wide at the least, and the Drain called *South Drove Dike*, twenty Feet wide at the least, and the Drain called *The Eighteen Feet Drain*, forty Feet wide at the least, and the Bottom of all such Drains of a level with the Floor of *Podehole* Sluice; and that the said Adventurers may take Land for such Purposes from the Commons adjoining thereto respectively, and that the Water in or upon the Commons in the said Fens shall and may, at all Times thereafter, have free Passage into all such old and new Drains and

and Works as now are or shall be used for the draining the said Fen Lands, or any of them, without any Obstruction thereto.

VIII. Provided always, and be it enacted, That the said new Cut to be made from the Sea Sluice to the Drain called *Vernat's Drain*, shall be carried nearly in a parallel Line with the River *Willand* on the North Side thereof, from the intended Sea Sluice, over the Lands and Grounds of *Shadworth Hoagson*, Gentleman, to Lands belonging to the Right Honourable *Stuart*, commonly called *Lord Linton*, and *Thomas Mesure*, Gentleman; then along the boundary Line between the said Lands belonging to the said *Lord Linton* and *Thomas Mesure*; then along the boundary Line, between the Lands belonging to *Sir Samuel Gideon*, Baronet, and *Graham Wilkinson*, Gentleman, to the present Drain called *Vernat's Drain*; any Thing in this Act, or the said former Acts, to the contrary notwithstanding.

The new Cut, to be made from the Sea Sluice to *Vernat's Drain*, shall be carried in a parallel Line with the River *Willand*.

IX. Provided also, and be it enacted, That all the Earth which shall be taken out in making the said new Cut, shall be equally laid on each Side of the said Cut.

Earth taken cut of new Cut to be laid on each Side. Power of Commissioners of Sewers, respecting the shutting *Podehole Sluice*, &c. altered.

X. And be it further enacted by the Authority aforesaid, That the Powers given to the Commissioners of Sewers by the said Act of the sixteenth and seventeenth Years of his late Majesty King *Charles the Second*, to shut down the Sluice at *Podehole* aforesaid, and to stop the said Drain called *Vernat's Drain* for the Space of two Months in every Year, in order to drain the Lands in *Pinchbeck* and *Spalding*, shall, from and immediately after the said Adventurers shall have opened and scoured the said Drain called *Vernat's Drain*, and laid down the Floor, and erected the said Sea Sluice, and also the said Sluice at *Podehole*, in Manner aforesaid, cease and determine; and it shall not be lawful for the said Commissioners hereafter to stop the Sluice and Doors to be set down at *Podehole* aforesaid for any greater Space of Time than twenty-eight Days in the Course of any one Year, to be reckoned from the first Day of *January* in one Year to the first Day of *January* in the succeeding Year; and that the said Sluice and Doors shall not at any Time be stopped by the said Commissioners for more than three successive Days together, within the Space of fourteen Days, in order that there shall always be reserved to the said Adventurers a clear Interval of eleven Days between the different Times of setting down the said Sluice and Doors as aforesaid, for the running or carrying off the Fen Waters; any Thing contained in the said recited Act of the sixteenth and seventeenth Years of King *Charles the Second*, or in any other Act or Acts of Parliament to the contrary hereof in any-wise notwithstanding.

XI. Provided nevertheless, and be it enacted, That it shall and may be lawful to and for the said Commissioners of Sewers, at any of their Courts to be holden for the Parts of *Holland*, and they are hereby authorized and empowered, to order and direct any Tunnel or Tunnels to be laid through the Bank or Banks of the said Drain called *Vernat's Drain*, for the Purpose and Conveniency of draining the Lands adjoining upon the said Drain, or for the taking Water out of the said Drain into the said Lands, at such Time and Times, and in such Manner, as they shall think fit; but no Tunnel or Tunnels shall be laid through the said Bank or Banks of the said Drain by the Owner or Occupier of any Lands adjoining thereto, without the Leave or Consent of the Commissioners of Sewers; and in case any such Owner or Occupier, having such Leave or Consent, shall, by laying any Tunnel or Tunnels through the said Banks, do any Injury or Damage to the said Banks, the Commissioners of Sewers are hereby required, at some of their Courts to be holden for the Parts of *Holland*, as aforesaid, to order the same to be made good, at the Expence of such Owner or Occupier.

Commissioners of Sewers may order Tunnel to be made in the Bank, &c.

XII. Provided always, That the said Adventurers, their Heirs or Assigns, shall not be answerable for any Damage that may arise to any Lands, either from such Tunnels being laid through such Banks as aforesaid, with or without such Leave as aforesaid, or from any Neglect in the Court of Sewers to order such Bank or Banks to be repaired after such Tunnels shall be laid down as aforesaid; any Thing contained in the said recited Act or Acts, or any of them, or in this present Act, to the contrary hereof in any-wise notwithstanding.

Adventurers not to be answerable for Damages occasioned by Tunnels, &c.

XIII. And whereas by Reason of the Narrowness of the Arches of *Surfleet Bridge*, and *Cress Gate Bridge* in *Pinchbeck*, over the River *Glen*, the Waters coming down the said River are greatly obstructed in their Course; be it therefore enacted by the Authority aforesaid, That the said Adventurers shall, and they are hereby authorized and required, within twelve calendar Months from the Day of the passing this Act, to take down the said *Surfleet Bridge*, and, within the Time aforesaid, to build another good and sufficient Bridge in the Stead thereof, of not less Capacity and Dimensions than the present Bridge in *Pinchbeck* aforesaid, called *Money Bridge*; and the said Adventurers are hereby also required to enlarge the said Bridge called *Cress Gate Bridge* to a Water-way of thirty Feet within the Space of two calendar Months from the Time *Surfleet Bridge* shall be rebuilt as aforesaid.

Adventurers may pull down and rebuild *Surfleet* and *Cress-gate* Bridges.

XIV. And be it further enacted, That the said Adventurers shall, and they are hereby required to cause the Drain called *Gravel Drain* to be properly scoured and cleansed, and the Bank thereof, on the Side next the said Fens, to be properly strengthened; and to make and continue the said Drain and Bank to the North-east Corner of a certain Place called *Swine's Meadow*; and also to make a strong and sufficient Dam at the South End of the said Drain, to convey the Water Northward into the *Counter Wash*; and also thoroughly repair and enlarge the South Bank of the *Counter Drain*, and widen and deepen the said *Counter Drain* from the End of *Gravel Drain* to *Podehole Sluice* aforesaid, for the carrying off and conveying the upland Waters along *Vernat's Drain* to the Sea, without overflowing the said Fens.

Gravel Drain, &c. to be scoured.

XV. And be it further enacted by the Authority aforesaid, That the said Adventurers shall, and are hereby required, in the first place, to cause the said Sluice, called *The Sea Sluice*, and the Sluice called *Podehole Sluice*, to be built and opened, and the new Cut, and *Vernat's Drain*, to be made and widened, from the said *Sea Sluice* to *Podehole Sluice*, as herein-before directed; and until such Time that such Works shall have been completed, it shall not be lawful for the said Adventurers to do or perform the Works herein-before directed to be done or performed upon the Drain called *Gravel Drain*, and the Bank thereof, to *Swine's Meadow*, the Dam to be made at the South End of the said Drain, the South Bank of the *Counter*

The Sea Sluice and *Podehole Sluice*, in the first place, to be made and widened.

Drain, and the said Counter Drain, from the End of *Gravel Drain* to *Podehole Sluice*, the Drain called *Langtoft Rost*, the Drain called *North Drove Dike*, the Drain called *Black Dike Rost*, the Drain called *South Drove Dike*, the Drain called *The Eighteen Feet Drain*, or any of them; any Thing in this Act contained to the contrary hereof notwithstanding.

The Adventurers may regulate Tunnels in the North West Side of the Rivers Welland and Glen.

XVI. And be it enacted by the Authority aforesaid, That, from and after the passing of this Act, the Owner or Owners of any Tunnel or Tunnels now laid, or which shall hereafter be laid, through any of the Banks called *Deeping Bank*, *Barston Bank*, the *Counter Bank*, and *Gravel Drain Bank*, when extended to *Swine's Meadow Corner*, is, and are hereby required, on or before the thirtieth Day of *September* in every Year, well and sufficiently to dam, stop, or make up, with Dove-tail or other Piles, all and every such Tunnel and Tunnels already made, or which may hereafter be made, for conveying Water into the said Fens, or any of them: And in case the Owner or Owners of such Tunnel or Tunnels, or his or their Tenant or Tenants, shall refuse or neglect effectually to dam and stop such Tunnel or Tunnels on or before the Time aforesaid, it shall and may be lawful for the said Adventurers, their Servants or Agents, and they are hereby authorized and empowered, immediately after the first Day of *October* in every Year, well and sufficiently to dam, stop, and make up, with Dove-tail or other Piles, in Manner before-mentioned, all and every such Tunnel or Tunnels made, or to be made, for conveying Water into the said Fens, or any of them, as aforesaid, at the Costs and Charges of the Owner or Owners thereof, or his, her, or their Tenant or Tenants, so neglecting to stop and secure the same; and the said Tunnel or Tunnels, when dammed or stopped up as aforesaid, shall so remain till the first Day of *May* then next following: And in case any such Owner or Owners, Tenant or Tenants, shall refuse or neglect, for the Space of twenty-eight Days, to pay the Expences of the same, after Demand being made by the Agent or Agents of the said Adventurers, it shall then be lawful to and for the said Adventurers, by an Order made at their General Annual Meeting, to take up and entirely remove the said Tunnel or Tunnels, and to sell so much of the Materials thereof as will defray the Expences attending the taking up and removing the same:

Proprietors of Lands, Guardians, &c. may borrow Money for the Purposes of this Act.

XVII. And be it further enacted, That it shall and may be lawful for all Owners or Proprietors of taxable Lands, being Tenants in Tail, or for Life or Lives only, or having any other limited Estate or Estates therein, and for the Husbands of all Females covert, and all other Persons being or acting as Trustees of charitable and other Uses, Guardians, Committees, or Attornies, to any Minors, Idiots, Lunatics, or Persons beyond the Seas, or under any other Incapacity or Disability whatsoever, intitled to any Share or Part of the said taxable Lands, and they, and each and every of them for the Time being, are hereby respectively authorized, enabled, and empowered, to borrow any Sum or Sums of Money which shall be annually assessed on such Lands, not exceeding the Sum of forty Shillings per Acre for every Acre of their said Lands; which Money, when borrowed, shall be applied for the Purposes of this Act, and not otherwise; and for the Repayment of all such Money, with the Interest thereof, to grant, mortgage, lease, or demise, their respective Parts or Shares in the said taxable Lands, to the Use of the Person or Persons who shall advance and lend such Money, his, her, and their respective Executors, Administrators, and Assigns, either in Fee-simple or for any Term or Terms of Years; so as such Grants, Mortgages, Leases, or Demises, be respectively made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered, when the Sum or Sums of Money thereby secured, and the Interest thereof, shall be fully paid and satisfied, and so as in every such Grant, Mortgage, Lease, or Demise, which shall be made as aforesaid, there be contained a Covenant to pay and keep down the Interest of the Money thereby secured, so that the Person intitled to the Premises in Reversion or Remainder shall not be liable to the Payment of any larger Arrear of Interest than for one Year preceding the Time that the Title to such Possession shall have commenced; and every such Grant, Mortgage, Lease, or Demise, which shall be made as aforesaid, shall be good and valid in Law to all Intents and Purposes.

The Times of holding annual Meetings.

XVIII. And whereas by the said Act of the twenty-second of King *Charles* the Second, the Adventurers are restrained from holding their publick annual Meetings for assessing and raising the Acre Tax at any Time in the Year except on the *Thursday* next after the second *Sunday* in *April*, and it would be more convenient to many of the said Adventurers if their annual Meetings were to be holden for the future upon the last *Thursday* in *April*; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, so much of the said Act as directs the said Adventurers to meet on the *Thursday* next after the second *Sunday* in *April*, in every Year, shall be, and is hereby repealed; and that it shall and may be lawful for the said Adventurers, or any three or more of them, to meet at the Town of *Spalding*, for the Purpose of assessing and raising the Acre Tax as aforesaid, directed to be assessed and raised by virtue of the said Act, upon the last *Thursday* in *April* in every Year, and on no other Day; any Thing contained in the said Act of the twenty-second Year of King *Charles* the Second to the contrary hereof notwithstanding.

Days for paying the Taxes laid by the Adventurers.

XIX. And whereas the Time fixed by the said last-mentioned Act for Payment of the Rates or Taxes directed to be paid for draining the said Fens is too late in the Year for completing the Works necessary to be done in that Year for which such Rates or Taxes are raised, and it would be greatly for the Benefit of the Adventurers if the Money to be raised by the said Rates or Taxes was raised and paid at two separate Payments; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act the Rates or Taxes directed to be laid and raised by all or any of the said former Acts, and by this present Act, for the Purpose of draining and improving the said Fen Lands, shall be laid and made as herein-after directed, and not otherwise; (that is to say), All such Rates and Taxes as shall be laid on the said taxable Lands in the said Fens, at the annual Meetings of the said Adventurers, which shall be held for that Purpose on the said last *Thursday* in *April*, in every Year, at the Town of *Spalding*, shall be paid by the respective Owners of the said Lands or Grounds to the Treasurer, or Deputy Treasurer, or Receiver, to the said Adventurers for the Time being, by two equal Payments, on the twenty-second Day of *May*, and the eleventh Day of *November*, in every Year; the first Payment whereof shall be made on the twenty-second Day of *May* next after the Day on which such Rates and Taxes are laid; and in case the said Owners or Proprietors

Proprietors shall neglect or refuse to pay the same on the respective Days or Times before limited for Payment thereof, or within ten Days after, every such Person so neglecting or refusing shall be subject and liable to the same Penalties and Forfeitures, and the said taxable Lands to the like Seizures and Sequestrations as they are severally subject and liable to by any former Act or Acts.

XX. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to repeal, invalidate, lessen, or diminish, alter, or take away, any of the Rights, Powers, and Authorities of any Person or Persons, or any of the Rights, Powers, and Authorities of the Commissioners of Sewers for the County of *Lincoln* respectively, vested in them, or either of them, by force and virtue of the said recited Act or Acts, or either of them (except certain Rights, Powers, and Authorities which were given to the Commissioners of Sewers by the said Act of the sixteenth and seventeenth of his late Majesty King *Charles* the Second, over the Sluice at *Poddehole*, and over *Vernat's Drain*, which are meant to be varied, altered, and abridged, as herein-before is particularly mentioned); but that all such respective Rights, Powers, and Authorities, of any Person or Persons, and Commissioners of Sewers, together with every Clause, Article, Sentence, Penalty, Matter, and Thing, severally contained in the said recited Act or Acts, or either of them (except as before is excepted), shall remain, continue, and be in as full Force and Virtue as if this Act had not been made.

Saving the Rights of the Commissioners of Sewers.

XXI. Provided also, and be it further enacted, That nothing herein contained shall extend to prejudice, obstruct, prevent, or defeat, any of the Works made, or to be made, in pursuance of an Act, made in the fifth Year of his present Majesty's Reign, (intituled, *An Act for draining and improving certain low Marsh and Fen Lands, lying between Boston Haven and Bourn, in the Parts of Kesteven and Holland, in the County of Lincoln*;) and in pursuance of an Act, made in the tenth Year of his present Majesty's Reign, (for amending and rendering more effectual the said Act made in the fifth Year of his present Majesty's Reign,) or to empower the Commissioners acting by virtue of this Act to intermeddle with, or to invalidate, lessen, alter, or take away, any of the Rights, Powers, or Authorities, which by the said two last-mentioned Acts were vested in all or any of the Commissioners acting under the said Acts, but that the same shall be and continue as fully, to all Intents and Purposes, as if this Act had never been made; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Prejudicing of the Works made for improving certain Fen Lands lying between Boston Haven and Bourn, how to be prevented.

XXII. And be it further enacted, That every Person who shall be employed by the said Adventurers in the Care, Direction, Execution, or Management, of the said Works, or any of them, shall, at any Meeting (if required), give in his Accounts upon Oath touching all Money received and expended by him, in, about, or concerning such Works (which Oath the said Adventurers, or any three of them, are hereby empowered to administer); and that the said Adventurers may displace any such Person or Persons, if they shall then judge proper.

Every Person shall account upon Oath for the Money received, &c. if thereunto required.

XXIII. And be it further enacted, That the Charges and Expences incurred in relation to the obtaining and passing this Act shall be paid, borne, and defrayed, by the said Adventurers out of any Money now in their Hands, or which shall hereafter come to their Hands by virtue or in pursuance of any former Act or Acts, or of this Act.

Expences of the Act how to be paid.

XXIV. And be it further enacted, That if any Person or Persons shall think himself or herself aggrieved by any Thing done in pursuance of the said former Acts, or of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace, at their next General Quarter Sessions of the Peace to be holden in and for the Division or District in the said County where such Cause of Complaint or Dispute shall arise or happen; or in case the Cause of Complaint shall arise within twenty-one Days next before such General Quarter Sessions of the Peace, then to the second General Quarter Sessions to be held for the said Division or District; such Appellant first giving, or causing to be given, twenty-one Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the said Adventurers, or their Agent, and within four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said Division or District, with two sufficient Sureties conditioned to try such Appeal, and abide by the Order of, and to pay such Costs as shall be awarded by the Justices at the said Quarter Sessions to be held for the said Division or District; and the said Justices, at the said Sessions, upon due Proof of such Notice being given, and of the entering into such Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Persons aggrieved may appeal to the Quarter Sessions.

XXV. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be brought or commenced against the said Adventurers, or any Person or Persons, for any Thing done in pursuance of this Act, until twenty-one Days Notice shall be thereof given to such Person or Persons, or to the said Adventurers or their Agents, or after sufficient Satisfaction, or a Tender thereof hath been made to the Party or Parties aggrieved, or after six Calendar Months next after the Fact committed; and every such Action or Suit shall be laid or brought in the said County of *Lincoln*, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall and may plead the General Issue, Not guilty, and give this Act, and the special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to be so done, or that such Action or Suit shall be brought before twenty-one Days Notice shall be thereof given as aforesaid, or after a 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 as aforesaid, that 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; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law; nor shall any Person or Persons who

Limitation of Actions.

General Issue.

Treble Costs

shall offend against this Act be sued or prosecuted after the Expiration of six Calendar Months from the Time of the Offence committed.

Publick Act.

XXVI. And be it enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

C A P. XXIV.

An Act for paving, repairing, lighting, and watching, the Streets, and other publick Passages and Places within that Part of the Parish of *Clerkenwell* called *Saint James's*, and removing Obstructions and Annoyances therein; for widening the Passage from *Clerkenwell Green* to the Parish Church; and for watching and lighting certain Highways within the said Parish.

C A P. XXV.

An Act for the more effectual preventing Frauds, and Embezzlements, by Persons employed in the Woollen Manufactory.

Preamble.

WHEREAS Frauds are frequently committed, and Embezzlements made, by Persons employed in the Woollen Manufactory, particularly by their secreting, selling, or otherwise illegally disposing of, the working Tools and Materials they are intrusted with, by the Weavers taking the Biers out of the Chains, and withholding Part of the Woof or Abb Yarn delivered to them, and by the Pickers, Scribblers, and Spinners, embezzling Part of the Wool and Yarn intrusted to them, and also by damping, steaming, and watering, the Residue, in order to make up the Deficiency in Weight, occasioned by such Embezzlements, and also by taking off, picking, or cutting out the List, Forrel, or other Marks, of any Piece or Pieces of Cloth, by Means whereof the Clothiers sustain great Damage and Loss: And whereas the Abuses committed in the Clothing Manufacture by Persons carrying, collecting, buying, and receiving, from the Labourers employed in that Manufacture, Ends of Yarn, Wests, Thrumbs, Short Yarn, and other Refuse of Cloth, Drugget, and other Woollen Goods, and Goods mixed with Wool, have been found very detrimental to the said Manufactures; and the said Frauds and Abuses are frequently carried on and committed so secretly, that the Laws now in being are by no Means sufficient to prevent the same, whereby Persons employed in the said Manufacture are tempted and encouraged to embezzle, purloin, secrete, sell, and detain, the Goods and Materials with which they are intrusted by the Clothiers, and other Woollen Manufacturers, so that the Cloth made comes out defective in the Substance, Perfection, and Excellence, intended by the Clothier, to the Discredit of the Manufacturer, and Injury of the Publick: And whereas it is apprehended such Frauds and Embezzlements would not be so frequent if the Detection and Punishment of the said Offences were made more easy and certain: 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 any Picker, Scribbler, Spinner, or Weaver, or other Person or Persons whatsoever, who shall be any ways employed in or about the making or manufacturing of Woollen Cloth, or in preparing Materials for that Purpose, shall not return all working Tools or Implements, Wool, Yarn, Chain, Woof, or Abb, delivered out to be worked up and manufactured, and all such Materials, as aforesaid, wherewith he, she, or they, shall be intrusted, or give a satisfactory Account touching the same respectively, to his, her, or their Employer, when thereunto required by the Person or Persons by whom he, she, or they, shall have been so intrusted, or by his, her, or their known Clerk or Servant, or shall fraudulently steam, damp, or water the Wool or Yarn delivered to him, her, or them, to be worked up; or if any Person or Persons shall take off, cut, or pick out, the List, Forrel, or other Mark, of any Piece of Cloth, and shall be convicted of any such Offence before some Justice or Justices of the Peace for the County, Division, Liberty, or Place, where the Person or Persons so offending shall reside, either by the Confession of the Party or Parties, or by the Oath or Oaths of one or more credible Witness or Witnesses; every such Person so convicted shall be committed to the House of Correction for the Space of one Calendar Month.

Persons employed in the Woollen Manufactory, not returning Implements and Materials to their Employers;

or shall cut or pick off the List or Mark of Cloth, on Conviction before a Justice, to be committed for one Calendar Month.

Persons absconding and selling Materials; or fraudulently buying or receiving such Tools;

Justices may issue Warrants to Constables to search.

II. And be it further enacted, That if any Person or Persons so employed, and who shall have been entrusted with any Tools, Implements, Wool, Yarn, Chain, Woof, or Abb, or other Materials as aforesaid, shall not have delivered or accounted for the same, shall abscond, or cannot be found, or shall sell, or otherwise dispose of the same, or any Part thereof; or if any Person or Persons shall fraudulently buy or receive such Tools, Implements, or Materials, of any Person so employed or entrusted; or if any Person or Persons shall be suspected of, and charged on, such Suspicion with having embezzled and kept back, by means of fraudulently damping, steaming, or watering, the Wool and Yarn delivered out to him, her, or them; or with having sold, bought, or otherwise received the same, or any Part thereof, as aforesaid, and Oath shall be made thereof respectively before one of his Majesty's Justices of the Peace for the County, Division, Liberty, or Place, where any such Offence was committed; such Justice shall thereupon issue his Warrant to any Constable or Constables, or other Peace Officer or Peace Officers, to enter into and search, in the Day-time, the Place of Dwelling or Residence of such Person or Persons so offending, and also such other House or Place, Houses or Places, of which the Clothier, Clerk, or Servant, as aforesaid, shall make Oath that he, she, or they, have just Cause to suspect, it appearing to the said Justice to be reasonable Suspicion that the said working Tools, or the said Materials, or some Part or Parts thereof, to have been embezzled or kept back, sold, bought, or received, as aforesaid, may be secreted

secreted and lodged: And if, upon Search, any of the said working Tools, Wool, Yarn, Chain, Woolf, or Abb, or any Cloth with the List, Forrel, or other Marks, taken off, cut, or picked out, shall be found, the said Constable or Constables, Peace Officer or Peace Officers, shall seize the same, and apprehend the Person or Persons in whose Custody or Possession the same shall be found, and bring him, her, or them, before the same, or some other of his Majesty's Justices of the Peace for the County, Division, Liberty, or Place aforesaid; and unless such Person or Persons, in whose Custody the same shall be found, can give a good Account how he, she, or they, came by the same, to the Satisfaction of such Justice or Justices; then, and in such Case, such Person or Persons shall be thereof convicted, and suffer such Punishment as is herein-before directed to be inflicted on Persons not returning the Tools or Materials as aforesaid; and all such Tools, Wool, Yarn, Chain, Woolf, or Abb, or such Cloth as aforesaid, so seized, and not accounted for as aforesaid, shall, upon such Conviction, be delivered over to the Churchwardens or Overseers of the Poor of the Parish where the same were seized, to be by them sold; and the Monies arising by such Sale, after defraying the Expences of such Sale, shall be applied to the Use of the Poor of the said Parish.

Constables may seize Tools, &c. and bring the Person, in whose Custody they are found, before some Justice.

III. Provided always, That in case the Person or Persons accused shall request of such Justice to appoint a reasonable Time to produce the Person or Persons of or from whom he, she, or they, bought or received the same, or some one or more credible Witness or Witnesses, to prove the Sale or Delivery thereof; then, and in such Case, it shall and may be lawful for the said Justice, and he is hereby authorised and required to appoint such reasonable Time as aforesaid, and to issue out a Summons to the Constable, or other Peace Officer; of the Parish or Place where such Person or Persons, or such Witness or Witnesses, shall respectively reside, requiring him, her, or them, to appear before such Justice, at such Time and Place as shall be so appointed by such Justice, in order to be examined and give Evidence, on Oath, of the several Matters aforesaid; but such Person or Persons, at the Time of making such Request, shall enter into a Recognizance, with or without Surety or Sureties, as such Justice shall think proper, for his, her, or their Appearance before him at the Time so to be set, or, for want of such Recognizance as aforesaid, shall be committed until the Time that shall be so set or appointed by the said Justice for the Appearance of such Party or Parties, Witness or Witnesses: And if at such appointed Time such Person or Persons shall be convicted of any of the Offences aforesaid; then, and in such Case, he, she, or they, shall suffer such Punishment as is herein-before directed to be inflicted on Persons not returning such Tools or Materials as aforesaid.

Justice to allow a reasonable Time for producing Parties.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Justice or Justices, upon Information made to him or them, on Oath, by any credible Person or Persons, that there is just Cause to suspect that any Ends of Yarn, Wests, Thrumbs, Short Yarn, or other Refuse of Cloth, Drugget, or of other Woollen Goods, or of Goods mixed with Wool (Flocks and Pinions only excepted), have been collected and received, and are lodged or concealed, in any Dwelling-house, Warehouse, Outhouse, Yard, or other Place, by Warrant under his Hand and Seal, to cause every such Dwelling-house, Warehouse, Outhouse, Yard, and other Place, to be searched in the Day-time; and if such Ends of Yarn, Wests, Thrumbs, Short Yarn, or other Refuse of Cloth, Drugget, or other Woollen Goods, or Goods mixed with Wool (Flocks and Pinions only excepted), above the Quantity of three Pounds, shall be found therein, to seize the same; and also to cause the Person or Persons in whose House, Warehouse, Outhouse, Yard, or other Place, the same shall be found, to be brought before him, or some other Justice or Justices of the Peace for the same County, Division, Liberty, or Place, and on Proof being made thereof upon Oath before such Justice or Justices, that such Ends of Yarn, Wests, Thrumbs, Short Yarn, or other Refuse of Cloth, Drugget, Woollen Goods, or Goods mixed with Wool (Flocks and Pinions only excepted), were found in the Dwelling-house, Warehouse, Outhouse, Yard, or other Place, of such Person or Persons so brought before such Justice or Justices, such Person or Persons not exculpating him, her, or themselves, to the Satisfaction of such Justice or Justices, shall thereupon suffer such Punishment as is herein-before directed to be inflicted on Persons not returning the Tools or Materials as aforesaid, and the Materials so found in the Custody of such Person or Persons shall, by Order of such Justice or Justices, be burnt, or otherwise destroyed.

Justices, upon Information made, may cause Hours to be searched;

and the same to be seized, and Parties brought before them.

V. Provided always, That if, upon any Information made upon Oath before any Justice or Justices against any Person or Persons offending against this Act, it shall appear to such Justice or Justices, that such Person or Persons so informed against hath or have been already before convicted of any Offence against this Act; then, and in such Case, such Justice or Justices shall not proceed to convict such Offender or Offenders, but shall and may commit him, her, or them, to the House of Correction, there to remain until the next General Quarter Session of the Peace to be held in and for the said County, Division, Liberty, or Place, or until such Offender or Offenders shall have entered into a Recognizance, with sufficient Sureties, to appear at such Sessions, and then and there to abide the Order of the Justices at such Session; and such Justice or Justices shall and may bind over the Informer to prosecute the said Offender or Offenders at the said Sessions, and the Justices at such Sessions shall then and there proceed to inquire into and determine the same in a summary Way; and if, upon such Inquiry, such Person or Persons shall be found guilty of the said Offence, the said Justices shall, at their Discretion, commit such Offender or Offenders to the House of Correction for any Time they think proper to direct, not exceeding three Calendar Months.

How Offenders, on a Second Offence, are to be proceeded against.

VI. Provided also, That if it shall appear to the Justices, at their General Quarter Sessions, that such Person or Persons hath, or have, already been convicted, at some General Quarter Sessions, of any Offence against this Act; then, and in such Case, the said Justices shall, upon a like Inquiry and Conviction, in a summary Way, direct the said Offender or Offenders to be committed to the House of Correction, for any Time not exceeding six Calendar Months, and also to be once publicly whipped at such Time and Place as such Justices, at their said Quarter Sessions, shall direct.

VII. Provided

Appeal may be made to the next Quarter Session by Persons aggrieved.

VII. Provided always, and be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved, by the Judgment of any Justice or Justices before whom he, she, or they, shall have been convicted of any of the Offences aforesaid, such Person or Persons may appeal; and the said Justice or Justices is and are hereby required to make known to such Person or Persons, at the Time of such Conviction, his and their Right under this Act to appeal to the next General Quarter Sessions of the Peace to be held for the County, Liberty, Division, or Place, where such Conviction shall be made, the Person or Persons, at the Time of such Conviction, giving to such Justice or Justices Notice in Writing, signifying his, her, or their Intention to appeal, and also entering into a Recognizance at the Time of such Notice, with sufficient Sureties conditioned to try such Appeal, and to abide the Judgment of, and pay such Costs as shall be awarded by the Justices at such Sessions; and the Justices at such Sessions are hereby authorized and required, upon due Proof made of such Notice, and of such Recognizance being entered into, to hear and determine the Matter of the said Appeal in a summary Way, and award Costs to the Party or Parties appealing or appealed against, if the said Justices shall think proper; but if upon such Hearing the Judgment of the Justice or Justices, before whom such Appellant shall have been convicted as aforesaid, shall be affirmed; then, and in such Case, such Appellant shall suffer such Punishment, in consequence of such Conviction, as is herein-before directed to be inflicted on Persons not returning the Tools or Materials as aforesaid.

Form of Conviction;

VIII. And be it further enacted, That the Justice or Justices, before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be made out in the Manner and Form following; (that is to say),

‘ **B**E it remembered, That on the _____ Day of _____ in the Year of our Lord _____ *A. B.* is convicted before me (*us*), _____ of his Majesty’s Justices of the Peace in and for the County, Division, Liberty, or Place (*as the Case may be*), of having (*here specify the Offence, and the Time and Place where the same was committed*). Given under my Hand and Seal, or our Hands and Seals (*as the Case may be*), the Day and Year aforesaid.’

to be wrote on Parchment, and returned to the next Quarter Session.

IX. And be it further enacted, That the Justice or Justices, before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be fairly wrote over, upon Parchment; and also to be returned to the next General Quarter Session of the Peace to be held in and for the County, Division, Liberty, or Place, where such Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept among the Records of the said Sessions.

No Proceedings to be had without Information.

X. Provided always, That no Person or Persons shall be proceeded against for any of the Offences against this Act, as aforesaid, unless Information shall be made thereof, upon Oath, before one or more Justice or Justices of the Peace, for the County, Division, Liberty, or Place, where such Offence shall be committed, within three Calendar Months after such Offence shall be committed; and no Order made, touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed for want of Form, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty’s Courts of Record at *Westminster*.

C A P. XXVI.

‘ An Act to allow the Exportation of a limited Quantity of Wheat-meal or Flour, Oats, Oatmeal, Groats, Barley, Pease, Beans, Malt, and Biscuit, to *Hudson’s Bay*, in *North America*, for the Benefit of the *Hudson’s Bay Company*, and their Servants residing there.

Preamble. Act 13 Geo. 3.

‘ **W**HEREAS by an Act, passed in the last Session of Parliament, intituled, *An Act to regulate the Importation and Exportation of Corn*; it was (amongst other Things) enacted, That whenever the Price of middling *British* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the same should be intended to be exported, should appear to be at or above the Price of forty-four Shillings *per* Quarter, such Price being ascertained in Manner in the said Act before mentioned, no Person or Persons whatsoever should, directly or indirectly, export, transport, carry, or convey, or cause or procure so to be, out of or from any such Port or Place, or load or lay on Board, or cause or procure to be laden or laid on Board, in any Ship or other Vessel, or Boat, in order to be exported, or carried out of any such Port or Place, any Wheat, Wheat-meal or Flour, or Malt, Bread, Biscuit, or Starch made of Wheat; and whenever the Price of middling *British* Pease or Beans, or of middling *British* Barley, Beer, or Bigg, or of middling *British* Oats, should respectively appear, at such Port or Place, to be at or above the several distinct Prices in the said Act particularly mentioned no Person or Persons whatsoever should, directly or indirectly, export, transport, carry, or convey, or cause so to be, or load or lay on Board, in any Ship, or other Vessel, or Boat, in order to be exported or carried out of any such Port or Place, any Pease or Beans, ground or unground, or any Bread or Biscuit, made of Pease or Beans respectively, or any Barley, Beer, or Bigg, respectively, or any Oats, or Oatmeal, or Malt, Bread, or Biscuit, made of Oats, under the several Penalties and Forfeitures in the said Act particularly mentioned and inflicted: And whereas it is necessary at all Times to export Wheat-meal or Flour, Oats, Oatmeal, Groats, Barley, Pease, Beans, Malt, and Biscuit, to *Hudson’s Bay*, in *North America*, for the Benefit of the *Hudson’s Bay Company*, and their Servants residing there; may it therefore please your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty.

jefty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to ship and export, from the Port of London only, Wheat-meal or Flour, not exceeding, in the Whole, two hundred Quarters in any one Year; and from the said Port of London only, Oats, Oatmeal, Groats, Barley, Pease, Beans, Malt, and Biscuit, not exceeding together, in the Whole, two hundred and sixty Quarters in any one Year, to *Hudson's Bay*, in *North America*, for the Benefit of the *Hudson's Bay Company*, and their Servants residing there; any Thing in the said Act to the contrary notwithstanding, so as the Exporter do, before the shipping of such Articles aforesaid to *Hudson's Bay*, in *North America*, enter into such or the like Bond or Bonds, as are, by the said recited Act of the last Session of Parliament, directed to be entered into by the Exporters from the Port of London to the Island of *Saint Helena*, of the particular Species and Quantity of Corn, Grain, or Flour, allowed by the said Act to be exported to that Island.

II. Provided always, and be it enacted by the Authority aforesaid, That when the Exportation of the said Commodities; or any of them, shall by the said Act be permitted; then, and in such Case, no such Bond shall be required upon the Exportation to *Hudson's Bay*, or such of them as shall be so permitted.

Bond shall be required upon

III. Provided also, and be it enacted, That when any Bounty shall be allowed upon the Exportation of the said Commodities, or any of them, the same Bounties shall be allowed upon the Exportation thereof to *Hudson's Bay*, under the Regulations, Provisions, and Restrictions, in the said Act mentioned.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be in Force during such Time as the said recited Act, passed in the last Session of Parliament, shall have Continuance.

Not exceeding 200 Quarters of Wheat-meal or Flour, in one Year, from the Port of London; and Oats, Oatmeal, Groats, Barley, Pease, Beans, Malt, and Biscuit, 260 Quarters, may be exported to *Hudson's Bay*: On Exportation of the said Commodities, no Exportation.

Bounty when to be allowed on Exportation to *Hudson's Bay*: Continuance of the Act.

C A P. XXVII.

An Act for fixing and regulating a Publick Market and Shambles for the Sale of Meat within the Town and Borough of *Swansea*, in the County of *Glamorgan*.

C A P. XXVIII.

An Act to continue an Act, made in the twenty-second Year of the Reign of his late Majesty King *George* the Second, for 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 *Kinghorn*, and Liberties thereof.

WHEREAS by an Act, made in the twenty-second Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for 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 Kinghorn, and Liberties thereof*, an Imposition or Duty of two Pennies *Scots*, or one-sixth Part of a Penny *Sterling* (over and above the Duty of Excise paid or payable to his Majesty, his Heirs and Successors), was granted and laid upon every *Scots* Pint of Ale and Beer, which should be either brewed, brought in, tapped, or sold, within the said Town of *Kinghorn*, and Liberties thereof; and the said Duty is directed to be applied to the Purposes, and levied in the Manner, mentioned in the said Act, and which is declared to take Place, and to have Continuance, only from and after the first Day of *June*, one thousand seven hundred and forty-nine, for and during the Term of thirty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Purposes for which the said Duty was granted cannot be completed within the Term granted by the said Act (which has now but a few Years to run), and as a Prolongation of the said Act would be of great Advantage to the Community of the said Borough of *Kinghorn*, and to the Publick: Therefore, your Majesty's most dutiful and loyal Subjects, the Provost, and others the Magistrates and Town Council of the said Borough of *Kinghorn*, 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 the Imposition, or Duty, granted and made payable by the Act before recited, upon Ale and Beer that shall be either brewed, brought in, tapped, or sold, within the said Town of *Kinghorn*, or Liberties thereof, shall, from and after the Expiration of the said Act, be further continued, raised, levied, collected, paid, and made payable, to the Provost, Magistrates, and Town Council, of the Borough of *Kinghorn*, and their Successors in Office for the Time being, and their Assigns, or to such Collectors or Receivers as shall at any Time, during the Continuance of this present Act, be by them, or the major Part of them, appointed and empowered, for the Use and Behoof of the said Borough, for the further Term of twenty-five Years, and from thence to the End of the then next Session of Parliament.

Preamble. Act 22 Geo. 2.

further continued for 25 Years.

II. And be it further enacted by the Authority aforesaid, That the aforesaid Imposition or Duty shall, during the said additional Term of twenty-five Years, and from thence to the End of the then next Session of Parliament, be raised, levied, and collected, from the same Persons, and by the same Means and Methods, and under the same Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the same Uses and Purposes; and that the Provost, Magistrates, and Town Council, be and continue Trustees for such Application, with the same Powers, and subject to the same Rules and Directions, as are mentioned and prescribed in the said recited Act; and that the said Act, and every Article, Rule, Clause, Matter, and Thing, therein contained, shall be of the same Force and Effect, to all Intents and

Duty to be raised and collected from the same Persons, &c. as by former Acts

Purposes,

Purposes, for raising, collecting, securing, and levying, the said Imposition or Duty, and for applying the same for the Uses and Purposes mentioned in the said Act, so far as these are not already executed, for and during the additional Term of Years for which the same are hereby granted, as if the said above-recited Act was particularly and at large repeated and re-enacted in the Body of this present Act, except as is herein-after mentioned.

Every Brewer and Seller of Ale, &c. to give Notice to the Magistrates, and to agree to the Payment of the Duty.

Penalty on making Default.

All Rights by the former Act, and by the Law of Scotland, for levying the Rates, reserved to the Provost, &c.

Who are to be Overseers of the Imposition by this Act.

Signed and certified Accounts of the Receipts and Disbursements to be made up annually.

Notice to be given of the annual Meeting.

Publick Act.

III. And be it further enacted by the Authority aforesaid, That from and after the Commencement of this present Act, and during the Continuance thereof, it shall not be lawful for any Brewer, or Seller of Beer or Ale, living or carrying on his or her Brewery without the said Borough of *Kinghorn*, and Liberties thereof, to import or sell any Beer or Ale into or in the said Borough, and Liberties thereof, unless he, she, or they, do previously give Notice to the Magistrates of the said Borough, or their Collector of the said Duty, at his Office, and agree to be subjected to, and charged with, the Payment of the said Duty, for all the Beer and Ale which shall be brewed by such Brewer or Seller of Beer or Ale, living or carrying on his or her Brewery without the said Borough, and Liberties thereof; and that every such Brewer, or Seller of Beer or Ale, who shall import or sell any Ale or Beer into or in the said Borough, and Liberties thereof, without having given such previous Notice, and agreed as aforesaid, being thereof duly convicted before any two or more of his Majesty's Justices of the Peace, shall be charged with, and liable to, the Payment of the said Duty to the Provost, Magistrates, and Town Council, of the said Borough, or their Collector, for all Ale and Beer brewed by him or her for the Space of twelve Months immediately preceding his or her committing such Offence, and in all Time thereafter during the Continuance of this Act.

IV. And be it further enacted by the Authority aforesaid, That besides the Remedies and Execution granted and provided by the said recited Act, for levying, recovering, and making effectual, the several Rates, Duties, and Impositions, hereby granted and continued, the said Provost, Magistrates, and Town Council, and their Collectors, shall, from and after the Commencement of this present Act, and during the Continuance thereof, be intitled to use all such other Methods, Remedies, and Execution, against the Person or Persons neglecting or refusing to pay the said Rates, Duties, and Impositions, as is competent by the Law of *Scotland* to the Magistrates and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of such Boroughs.

V. And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, that the honourable *James Wemyss of Wemyss*, *Robert Ferguson of Reath*, *James Saint Clair of Saint Clair*, *David Beafson of Vicars Grange*, *Claud Boswell of Balmullo*, *Alexander Aulson of North Glassmont*, *James Townsend Oswald of Dinnekeir*, *Robert Beafson of Killerie*, *William Wemyss of Cattlehill*, *John Bruce of Grange Mayer*, Esquires; the Knight of the Shire to serve in Parliament for the County of *Fife* for the Time being, and the Burgesses to serve in Parliament for the Time being for the District of Boroughs, whereof *Kinghorn* is one, or any three or more of them, shall be, and are hereby appointed Overseers of the Imposition or Duty hereby continued and granted, in Place and Stead of the Overseers appointed by the above-recited Act, and shall have, and are hereby vested with the same Powers, and under the same Regulations, as are in and by the said recited Act granted and given to the said former Overseers; any Thing in the said former Act contained to the contrary notwithstanding.

VI. Provided always, and be it enacted by the Authority aforesaid, That the Provost, Bailies, and Council, of the said Town of *Kinghorn*, and their Successors for the Time being, shall, and they are hereby directed and required, to state and make up, annually, to the twenty-fourth Day of *June*, in each Year, an Account of their Receipts and Disbursements, under and by virtue of the before-recited Act, and of this present Act, and to leave and deposit the Account, so annually stated and made up (signed and certified by the Provost or eldest Bailie for the Time being), at the Office of the Town Clerk of the said Borough of *Kinghorn*, open for the Inspection of every Person having an Interest in the same, three Weeks at least before the first *Wednesday of August* in every Year; and also to give edictal Notices, in the usual Manner, at the Church Door of *Kinghorn*, on each of the two *Sundays* immediately preceding the first *Wednesday of August* in every Year, for the annual Meeting, upon such first *Wednesday of August* respectively, of the Overseers by this Act appointed, and with Notice of the Deposition at the Town Clerk's Office of the Account for the preceding Year, open for the Inspection of the said Overseers, and of every other Person having an Interest in the same.

VII. And be it further enacted by the Authority aforesaid, That this present Act shall be deemed, and taken to be, a publick Act; and shall be judicially taken Notice of as such in all Courts in *Great Britain*, and by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. XXIX.

An Act for the better Relief and Employment of the Poor within the Parish of *Saint Leonard, Shoreditch*, in the County of *Middlesex*; and for building a Workhouse, and for purchasing a Piece of Land for a Burial Ground, for the Use of the said Parish.

C A P. XXX.

An Act for providing a Workhouse, and for better governing, regulating, and maintaining, the Poor, within the *Old Artillery Ground*, in the Liberty of the *Tower of London*; and for paving, cleansing, lighting, and watching, the Streets, Lanes, and other open Passages and Places within the same; and for preventing Obstructions and Annoyances therein.

C A P. XXXI.

An Act for repairing the Highways and Bridges in the County of *Fife*.

- Preamble.**
WHEREAS the Powers granted by Law in *Scotland* relative to Highways and Bridges, and the Services and Work, and Monies, which are thereby authorized to be exacted and levied, have been found, by Experience, insufficient to amend and keep in Repair the Roads and Bridges within the County of *Fife*, and that other and further Powers are necessary to be given to the Heritors and Justices of Peace of the said County effectually to carry the Intention of the said Laws into Execution: And as this cannot be done without the Aid 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, for the more easy and effectual Execution of the Powers herein-after granted, the said County of *Fife* shall be divided into four different Districts, consisting of the respective Presbyteries of *Saint Andrews, Kirkaldy, Coupar, and Dumfermline*.
- Division of the Counties into four Districts.**
Trustees.
 II. And be it further enacted by the Authority aforesaid, That every Proprietor or Heritor, and the eldest Sons or apparent Heirs of the Proprietors or Heritors, whose Property intitles them to be Commissioners of Supply, and the Provost, or other Chief Magistrate of every Royal Borough within the said County for the Time being, shall be Trustees or Commissioners for making, repairing, upholding, and keeping in Repair, the Highways, Roads, and Bridges, within the said County, and for executing all other the Powers by this Act to them given and granted.
- Penalty on acting if not qualified.**
 III. Provided always, That if any Person not qualified as aforesaid shall presume to act as a Trustee, every such Person shall, for every such acting, forfeit the Sum of ten Pounds Sterling, besides the Expence of Prosecution; to be recovered by Complaint in a summary Way, at the Suit of any Heritor within the said County, before the Justices of Peace at their Quarter Sessions, or before the Sheriff-depute of the said County, or his Substitutes; which Penalty shall be paid to the Trustees aforesaid, to be by them applied for repairing the said Roads; and in case any such Complaint shall be brought, the Proof of Qualification shall lie upon the Defendant.
- Proviso.**
 IV. Provided also, That it shall be a sufficient Qualification to the Provosts, or other Chief Magistrates of the Royal Boroughs within the said County, that they are invested for the Time being with the aforesaid respective Offices.
- Time and Place of Trustees Meeting.**
 V. And be it enacted by the Authority aforesaid, That the said Trustees or Commissioners, or any five or more of them, shall hold their first Meeting at Twelve of the Clock Mid-day, in the Town-hall of the Presbytery Town within which Presbytery or District their said Lands respectively do lie, upon the second *Tuesday of June*, one thousand seven hundred and seventy-four, and upon the second *Tuesday of April* yearly, and every Year thereafter; with Power to them, or the Majority of those present at the said fixed or other General Meetings assembled, to adjourn to such other Times and Places as they shall think fit or convenient; with Power also, annually, to chuse a Preses and Clerk to the said Meetings; and to make such Orders, Regulations, and Appointments, as they shall judge proper for repairing, rebuilding, and upholding, the Highways, Roads, and Bridges, within the said respective Districts; and the said Trustees or Commissioners shall have Power to act in any District within the said County, whether residing therein or not; and the said Trustees or Commissioners, at all their Meetings, shall pay and defray their own Expences.
- Trustees, &c. to defray their own Expences. Adjourning and calling of Meetings.**
 VI. Provided always, That where the Number present at such fixed or other General Meetings shall not exceed three Trustees, and that such Trustees shall think fit to adjourn the Meeting, then, and in that Case, fourteen Days previous Notice of the Day, and Purpose of the adjourned Meeting, (which shall be to the same Place) shall be given in Manner herein-after mentioned: And provided also, That any three Trustees may, at any Time, call a General Meeting at the Town-hall of the Presbytery Town within which the said three Trustees reside, upon giving the like previous Notice thereof, and of the Purpose and Business of such Meeting; and the Clerk, in such Cases, shall always cause Intimation to be made of the Day and Purpose of the Meeting, by affixing Notice thereof upon each of the Church Doors within the District of which a Meeting of the Trustees shall be so called, as aforesaid.
- Exact Lists of Ploughgates to be made.**
 VII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, at the said fixed Meeting, on the said second *Tuesday of June*, one thousand seven hundred and seventy-four, or at any other subsequent Meeting, shall have Power, and they are hereby required, to make up and ascertain exact Lists of the Number of Ploughgates of Lands, as well in Grass as in Tillage, within each Parish of the said respective Districts, in such Way and Manner as the same have hitherto been in use to be ascertained within the said County.
- Persons liable to do Services.**
Notice to be given.
 VIII. And be it further enacted by the Authority aforesaid, That the Heritors, in the natural Possession of their own Lands, and all Lessees, Tenants, and Occupiers of Lands, shall be liable and obliged to assist at making, building, repairing, and upholding, the Highways, Roads, and Bridges, within the said County; and shall, upon two Days previous Notice to be given, personally, or at their respective Places of Abode, from the Overseer or Overseers of the said Highways and Bridges, or any Person authorized by him or them, furnish, for the Number of six whole Days, (each Day to consist of two sufficient Yokings) one sufficient Cart with two able Horses, and one able Man, or, in their Option, one sufficient Wain, with two able Horses, two able Oxen, and one able Man, and that for each Ploughgate of Land, and so on, in proportion to the Extent of the Land possessed by them; and all Lands let for Pasture only shall be held as in the Possession of the Heritor, and he shall be liable for each sixty Acres, or, in his Option, for each forty Pounds Sterling of Rent paid by the Tenant or Lessee for the same, to furnish the Carriages corresponding

responding to a Ploughgate of Land, or, in his Option, to pay the converted Value for the same, at the Rates herein-after specified; and so in proportion for smaller or larger Parts or Divisions of a Ploughgate of Land so set.

Statute work how to be performed.

IX. And be it further enacted by the Authority aforesaid, That all Householders, Cottagers, Labourers, (Servants hired by the Year being always excepted), and all Tradesmen, not liable to furnish Carriages, shall be obliged, upon two Days previous Notice to be given as aforesaid, to perform the Statute-work conformable to Law on the said High Roads and Bridges, by themselves, or other able Men to be employed by them, for six full Days (each Day to consist of two sufficient Yokings); and in case of Failure, shall be subject and liable to the Penalties contained in the former Acts of Parliament.

Seed-time and Harvest excepted.

X. Provided always, and it is hereby expressly provided and declared, That no Person shall be obliged to furnish Carriages, or perform Statute-work, on the said Highways and Bridges, during the Periods of Seed-time or Corn-harvest in that Part of the County where he lives or resides.

Statute-work may be paid for in Money.

XI. And, for carrying into more effectual Execution the Laws now in Force relative to Highways within the said County, be it enacted by the Authority aforesaid, That it shall be lawful to and for the said Trustees, at their respective annual District Meetings assembled, if they shall find it necessary, to order and appoint a Conversion, in Money, to be paid by all Persons liable in Statute Services, as aforesaid, for all or any of the six Days Service or Statute-work above mentioned: Provided always, That the aforesaid Conversion shall not exceed the ordinary Price or Rate of Labour in that Part of the Country where the Services are to be performed.

Exception of indigent Persons.

XII. And it is further enacted; That it shall and may be lawful to and for the said Trustees to exempt and free from Performance of all or any Part of the said Statute-work, and Composition therefore, all such Persons as shall appear to them to be in indigent Circumstances, or unable to perform the same.

Carts driving Lime or Coal, not for private Use, liable for six Days Work. Deduction to the Owners, if Landholders.

XIII. And be it further enacted by the Authority aforesaid, That every Person who shall keep Carts or other Carriages for driving of Coal or Lime, or any other Things whatever, not for their own private Use, and on the publick County Roads, shall be subject and liable in six Days Work for each Cart so employed by him, her, or them: Provided always, That if the said Persons are liable for Services in respect of Lands possessed by them, they shall have Deduction and Allowance for such of their Carts and Carriages, the Horses whereof shall appear to the said Trustees to be necessary for labouring the said Lands.

If Statute-work be not performed, Value to be paid in 6 Days, or Warrants may be granted to distrain.

XIV. And be it enacted by the Authority aforesaid, That if any Person shall neglect or refuse to perform the Services and Statute-work when required, as aforesaid, or to pay the converted Values therefore within six Days after the same shall be demanded by the Overseer or Collector, in Manner before directed, the said Failure or Refusal being certified by an Application from the said Collector or Overseer to the Justices of the Peace, they, or any one of them, shall be authorized, and are hereby required, upon such Applications, to grant summary Warrants for pointing or distraining the Effects of such Defaulters for Payment of the converted Values as aforesaid, and one half more in Name of Penalty.

Penalties for wrongous Distress, and not giving Lists of Services, &c.

XV. Provided always, That in case the said Collectors or Overseers shall wrongously charge, point, or distrain, any Person as a Defaulter, and be convicted thereof before the Justices of the Peace, the said Justices shall award against the said Collector or Overseer, to the Person or Persons so aggrieved, treble the Sum for which he or they shall be so pointed or distrained; and in case the said Overseers or Collectors shall fail to give due Notice to the Persons liable for Services and Statute-work, or to exact the converted Values, they shall be liable, and by Sentence of the said Justices, be subjected to pay double the Value of the said Services or Statute-work, or double the Conversion Money so omitted to be called out and exacted by them.

The Distances that Persons are liable to do Statute-work.

XVI. Provided always, and it is hereby provided and declared, That it shall not be lawful for the said Trustees to employ the Persons, liable in the aforesaid Services or Statute-work, at any greater Distance than two measured Miles from the Residence of the Persons liable for the same, nor to apply the converted Values of such Services at any greater Distance than three Miles from the Residence of the Person liable in Payment of the same.

Trustees at Meetings may appoint Committees.

XVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, at their General Meetings of the said several Districts, to appoint Committees of their own Number, in the different Parishes, for overseeing, directing, and carrying on the Reparation of such of the said Roads and Bridges as shall be committed to their Charge, and for calling out the Persons liable in the Services and Statute-work to perform the same, or making effectual the converted Values, and applying the same towards the working, building, and repairing, the said Roads and Bridges, in such Manner as the said Meeting shall order and appoint.

Owners of uninclosed Lands to give Ground sufficient to make the Road 25 Feet wide.

XVIII. And be it enacted by the Authority aforesaid, That in all Cases where Roads are already inclosed on one Side, and the Ground on the other Side belongs to a different Proprietor, and that there shall not be left twelve Feet and an Half from the Inclosure to the Centre of the Road, the Proprietor on the other or uninclosed Side shall be bound and obliged to give off Ground sufficient to make up twenty-five Feet broad; and the said Justices of Peace, or any three of them, are hereby authorized and required, to set off and ascertain the Extent and Value of the Ground so to be given off, to make up the Deficiency of the said twelve Feet and an Half, and to give Decree against such Person or Persons as they shall judge liable for Payment of the Value thereof, to and in Favour of such Person or Persons as they shall judge entitled to receive the same, or any Part thereof.

Heritors obliged to scour the Ditches.

XIX. And be it further enacted by the Authority aforesaid, That where any Ditches have or shall in Time coming be made along the Side of any of the Roads or Highways within the said County, then the Proprietors thereof shall be bound to keep these Ditches properly scoured; and in case of their failing so to do, when required, the Overseers of the said Roads may, and are hereby authorized to order them to be cleaned and scoured, at the Cost and Expence of the Occupiers or Possessors of the Grounds through which these Ditches are made; and upon their refusing Payment of the Expence thereby incurred, it shall and

may

may be lawful for the Justices of Peace, or any two of them, to levy such Expence by Distress and Sale, in the same Manner as is directed for levying the Composition aforesaid.

XX. And, for preventing Annoyances on all and every of the said Roads, be it enacted, That no Person shall lay, or cause to be laid, any Timber or Stone, Lime, Dung, Soil, Compost, Ashes, Rubbish, or other Matter, upon any of the aforesaid Roads or Highways; and all and every Person or Persons so offending shall not only forfeit the Materials so laid down, but also the Sum of five Shillings Sterling; to be levied and recovered in the same Manner as other Penalties are by this Act directed, the one Half thereof to be paid to the Informer, the other Half to be applied for making and repairing the aforesaid Roads.

No Annoyances to be laid on the Roads.

XXI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Tree, Log, or Piece of Timber, or any Stone or other Thing whatsoever, otherwise than upon a Wheel Carriage; or shall suffer any Tree, Log, or Piece of Timber, or Stone, or other Matter whatsoever, which shall be conveyed upon a Wheel Carriage, to drag upon any Part of such Roads; every such Person shall, for every such Offence, forfeit the Sum of ten Shillings Sterling; to be recovered and levied in Manner herein-after directed.

No Timber or Stones to be drawn but upon Wheel Carriages on Pain of 10 s.

XXII. And be it enacted by the Authority aforesaid, That the Collector of the Land Tax or Cefs of each Royal Borough of the District for the Time being shall be annually bound to collect the Conversion-money of the Statute-work of the Inhabitants and others residing within such Royal Borough, and Suburbs thereof, in case they shall be desired or required so to do by the Trustees or Commissioners of the District, at their first annual or any after adjourned Meeting; and shall also be bound to account for and pay in to such Commissioners, or any Person empowered by them, the Monies he shall so collect and receive, after Deduction and Allowance of five Pounds *per Centum* of the Sums so collected for his own Trouble; and that under the Penalty of five Pounds Sterling to be paid by such Collector to the Commissioners of the District for every such Offence, in refusing or neglecting so to do; which Penalty shall be levied and recovered in Manner herein-after directed.

Conversion-money of Royal Boroughs to be levied by the Collectors of the Land Tax, and paid in to the Trustees, after Deduction of five per Cent.

XXIII. And whereas it has been found, by Experience, from the great Number of Roads and Bridges, and the daily Increase of Carriages within the said County of *Fife*, that the Sum of ten Shillings, *Scots* Money, upon each hundred Pounds *Scots* of valued Rent, authorized to be levied by the sixteenth Act of the second Parliament of King *Charles* the Second, has been insufficient for keeping the said Roads and Bridges in Repair; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Persons in the said Act mentioned, at their General Meeting at *Coupar* in the Month of *May*, in this present Year one thousand seven hundred and seventy-four, and at every annual Meeting in the Month of *May* hereafter, to assess the whole County to the Extent of one Shilling and Eight-pence Sterling, or twenty Shillings *Scots*, upon every hundred Pounds *Scots* of valued Rent: And in case the said General Meeting shall not assess the whole County to the Extent of the said Sum of one Shilling and Eight-pence Sterling, then it shall be lawful to and in the Power of all or any of the District or Districts, at a General or any adjourned Meeting, to assess the said District or Districts to what further Sum they shall judge necessary, the said two Assessments not exceeding the said Sum of one Shilling and Eight-pence Sterling in the Whole upon every one hundred Pounds *Scots* of valued Rent; and which additional Assessment shall be certified to the Collector of Supply in Writing, under the Hands of the Preses and Clerk of the said Meeting; and which respective Sums shall be levied by the said Collector, along with the Cefs or Land Tax of the said County, and shall be applied towards the building, making, repairing, and upholding, the Highways and Bridges within the Districts where levied: And the said Collector shall keep an exact and separate Account of the Sums levied out of each of the said Districts, which shall only be applicable to the Bridges and Roads within the said several Districts out of which the same shall be levied, and shall be issued only by the said Collector, upon Orders from the General Meetings of the said Districts, or Committees appointed by them; and it shall not be lawful to apply any Part of the Sums raised in one District towards the Reparation of Roads and Bridges in another District, except in the Case herein-after mentioned.

20 s. *Scots* to be laid upon each 100 l. *Scots* of valued Rent.

How the Money is to be collected and applied.

Collectors to keep separate Accounts.

The Trustees, at their annual Meetings, &c. to make out Reports of the Roads and Bridges, &c. Report to be lodged with the Clerk of the Peace.

XXIV. And be it further enacted by the Authority aforesaid, That the said Trustees, at their first General Meeting of the respective Districts, on the second *Tuesday* of *June*, in this present Year one thousand seven hundred and seventy-four, and at their annual Meeting, to be held thereafter on the said second *Tuesday* of *April*, or at any adjourned Meeting of the said respective Districts, shall make out an exact and distinct Report of the particular Roads and Bridges, and of the Services, Statute-work, and Conversion-money thereof, and other Monies to be levied by virtue of the Powers given by this Act, out of the several Parishes within the said respective Districts, and of the particular Application thereof for that Year; and a Copy of the said Report, signed by the Preses and Clerk of the said Meeting, shall be timeously transmitted to the Clerk of the Peace of the said County, and shall be entered in the Book to be kept by him for that Purpose, as aforesaid, and shall remain unalterable by any other or subsequent Meeting of the said respective Districts, but shall nevertheless be subject to the Review of the said General Meeting of the said County, to be held in the Month of *May* annually, to the Effect only that they may order and direct what Roads and Bridges shall be first made, built, or repaired, within the said respective Districts.

XXV. Provided always, and it is hereby enacted and declared, That in case the rebuilding or repairing of any one Bridge within the said County shall exceed the Sum of fifty Pounds Sterling, the District within which the said Bridge is situated shall only be subject and liable to pay one Half of the said Sum, and the other three Districts shall be subject and liable to pay the other Half thereof, and that in proportion to the valued Rents of the said several Districts; and the rebuilding or repairing of the said Bridge shall be done, made, and executed, by the Direction only of the said General Meeting of the County, and the Sum appointed to be applied for that Purpose shall be issued by the said Collector of the Cefs or Land Tax, upon and by an Order in Writing of the said General Meeting, extracted by their Clerk.

How the Expence of repairing Bridges are to be borne.

The Money to be issued by the Collector of the Land Tax.

Penalties and Forfeitures how to be recovered and applied.

XXVI. And be it further enacted by the Authority aforesaid, That all Forfeitures and Penalties by this Act inflicted, or authorized to be imposed in relation to any Matter or Thing in this Act contained, the Manner of levying and recovering whereof is not otherwise particularly directed, shall, upon Proof of the Offence before any one or more Justice or Justices of the Peace for the County or Place where the same shall be committed, either by the Confession of the Party, or other legal Evidence, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand or Hands of such Justice or Justices of the Peace (which Warrant such Justice and Justices is and are hereby authorized and required to grant for these Purposes, and also to administer Oaths *gratis*), such Sale being always made by publick Auction to the highest Offerer, at such Place as shall be directed in the said Warrant, within two Days after such Distress shall have been made; and the Overplus Money arising from such Sale (after such Penalties are recovered, and the Charges of levying and recovering the same are deducted) shall be returned, on Demand, to the Owner or Owners of such Goods and Chattels; and all Penalties and Forfeitures, if not otherwise directed to be applied by this Act, shall from Time to Time be paid to the said Trustees, or any five or more of them, or to their Collectors for the Time being, and shall be laid out and applied for the Purposes of the Act within the District in which the Penalties or Forfeitures shall be incurred: And in case sufficient Distress cannot be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for any Justice or Justices of the Peace for the County or Place where the Offence shall be committed, and he and they is and are hereby authorized and required, by Warrant under his or their Hand or Hands, to cause such Offender or Offenders to be committed to the House of Correction, or common Gaol of the County or Place where the Offence shall be committed, there to remain for any Time not exceeding three Calendar Months, unless such Penalties or Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Persons aggrieved may appeal to the Quarter Sessions.

XXVII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall consider himself or themselves aggrieved by any Order, Procedure, Sentence, or Judgment, of the said Trustees or Justices of Peace, with respect to any of the Matters or Things by this Act referred to their Determination, it shall and may be lawful to and for such Person or Persons to appeal for Redress to the Justices of Peace for the said County, in their then next General Quarter Sessions assembled in *October*, at which five Justices shall be present and make a *Quorum*, who are hereby authorized and empowered to hear and determine the Matter in Dispute, and whose Judgment therein shall be final and conclusive.

Five Justices to be a *Quorum* Judgment of the Quarter Sessions to be final.

Proviso.

XXVIII. Provided always, That it shall be no Objection to any Person acting as a Justice of Peace in any Matter or Thing relative to this Act, that he is thereby appointed a Trustee.

Application of the Money to arise by virtue of this Act.

XXIX. And be it further enacted by the Authority aforesaid, That the Sums to be raised and levied by virtue of this Act shall be applied by the said Trustees, in the first place, to defray and pay the Charges of obtaining and passing this Act; and afterwards, wholly and solely to the Uses and Purposes before mentioned, and to no other Use or Purpose whatsoever.

Overseers, by Warrant, may take Stone, Gravel, &c. from adjacent Lands, &c.

XXX. And be it enacted by the Authority aforesaid, That the said Overseers, having first obtained Warrant under the Hands of two or more Justices of the Peace, shall, and they are hereby empowered to take out of any adjacent Lands (other than Gardens, Orchards, and planted Walks), any Stone, Sand, Gravel, or other Materials for making and repairing the said High Roads, not being employed in Building, doing the least Damage possible, and making such Satisfaction to the Owner as to the same Justices shall seem reasonable.

Limitation of Actions.

XXXI. And be it enacted by the Authority aforesaid, That all Actions and Complaints for all and every the Penalties and Forfeitures imposed by this Act, or for any Wrongs done or Injuries suffered in any Matter thereto relative, or in consequence of any of the Powers by this Act given and granted, shall be commenced within the Space of twelve Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury suffered, and not afterwards.

Publick Act.

XXXII. And be it enacted by the Authority aforesaid, That this Act shall be deemed, taken, and allowed, in all Courts of Justice as a Publick Act; and all Judges, Justices, and others, are hereby required judicially to take Notice thereof as such, without the same being specially pleaded.

C A P. XXXII.

An Act to enable the Governor and Company of the Bank of *Scotland* to increase the Capital Stock of the said Company.

Preamble.

WHEREAS by an Act of the Parliament of *Scotland*, made in the Year one thousand six hundred and ninety-five, (intituled, *An Act for erecting a Bank in Scotland*;) a Joint Stock, amounting to the Sum of twelve hundred thousand Pounds *Scots* Money, was allowed to be raised by the Company thereby established for carrying on and managing a publick Bank, and certain Persons, therein mentioned, were authorized to appoint a Book for receiving the Subscriptions of such Persons as were willing to become Adventurers in the said Joint Stock: And by the said Act it was declared, That one thousand Pounds *Scots* should be the lowest, and twenty thousand Pounds *Scots* the highest Sum, which any one Person should be allowed to subscribe; and, by the said Act it was also declared, That all and every the Persons, subscribing and paying to the said Stock as aforesaid, should be one Body Politick and Corporate, by the Name of *The Governor and Company of the Bank of Scotland*, under which Name they should have perpetual Succession, and should have a Common Seal; and by the said Act it was directed, That within three Months after the aforesaid Subscriptions should be ended, the Persons in the

‘ said Act named, or any two of them, should appoint a certain Day, and make due Intimation of the
 ‘ same, that such and so many of the Adventurers, and none other, as should each of them have sub-
 ‘ scribed for one thousand Pounds, or upwards, in the said Book, of the Joint Stock, might elect and
 ‘ chuse, by a Majority of Votes which were to be given, one Vote for every one thousand Pound Share
 ‘ of the Stock, a fit Person of the Subscribers who had subscribed for himself at least for eight thousand
 ‘ Pounds to be Governor of the said Bank; and another fit Person of the Subscribers, who should have
 ‘ subscribed for himself at least for six thousand Pounds; to be Deputy Governor of the said Bank; and
 ‘ also twenty-four other fit Persons, who should have subscribed, each of them for himself, at least
 ‘ for three thousand Pounds in the said Joint Stock, to be Directors of the said Bank; and certain other
 ‘ Rules and Regulations were thereby prescribed for the better managing and ordering the Affairs of the
 ‘ said Bank; and, in pursuance of the aforesaid Act, the said Bank was soon after established, and has ever
 ‘ since continued: And whereas the said Bank has proved a national Advantage, and it would greatly tend
 ‘ to the Advancement of Commerce, and be otherwise highly beneficial and expedient, that the Capital
 ‘ Stock of the said Bank should be increased, so as such new or increased Stock, together with the ori-
 ‘ ginal Stock of the said Bank, shall not exceed in the Whole the Sum of twenty-four hundred thou-
 ‘ sand Pounds Scots Money, or two hundred thousand Pounds Sterling; 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 Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,
 ‘ and by the Authority of the same, That within one Month after the passing of this Act, or as soon
 ‘ after as may be, the Court of ordinary Directors of the said Bank shall appoint a Book to be opened,
 ‘ and kept at the Office of the said Bank of Scotland, for receiving Subscriptions for an additional Capital or
 ‘ Joint Stock, to the Extent of twelve hundred thousand Pounds Scots, or one hundred thousand Pounds
 ‘ Sterling Money, and no more; in which Book, every Person or Persons possessed of a Share or Shares of
 ‘ the present Capital Stock of the said Bank of Scotland, shall be intitled to subscribe for as much of the
 ‘ said new or additional Stock, as he, she, or they, shall be possessed of, of the old or original Stock, at the
 ‘ Time of his, her, or their subscribing, and no more; or for a lesser Number of Shares thereof, if such Per-
 ‘ son or Persons shall so think proper.

‘ II. And, in order that no Person or Persons possessed of Stock in the said Bank of Scotland may be
 ‘ deprived of the Benefit hereby intended them, be it enacted by the Authority aforesaid, That it shall be
 ‘ in the Power of every Proprietor of the present Capital Stock of the said Company, by a Writing under
 ‘ his, her, or their Hands, to authorise any other Person he, she, or they, shall think proper, to subscribe
 ‘ for him, her, or them; and the Subscription of the Person so authorised shall be equally effectual, as if
 ‘ the Proprietor, who gives such Authority, had subscribed with his or her own Hand.

III. And be it further enacted, That the Privilege and Preference of subscribing to the new or addi-
 ‘ tional Stock hereby given to the Proprietors of the present Capital Stock of the said Bank, shall be limited
 ‘ to six Months from the Time of opening the Subscription Book above mentioned; and after the Expi-
 ‘ ration of the said Term, in case any Share or Shares of the said new or additional Stock shall not have
 ‘ been subscribed for, the said Subscription Book shall be shut, and a General Meeting of the Proprietors
 ‘ called, upon such Notice as a Court of ordinary Directors think fit; at which Meeting the Share or
 ‘ Shares not subscribed for, shall be sold to the highest Bidder, provided such Bidder be a Proprietor of the
 ‘ present Capital Stock of the said Bank, or be authorised and empowered to purchase for a Person who is a
 ‘ Proprietor of the said Capital Stock, by a Writing under his, her, or their Hands: And provided also,
 ‘ That the Shares so purchased, when added to the Shares already held or subscribed for by the Person or
 ‘ Persons by whom, or for whose Use and Benefit the said new Shares are purchased, do not, in the Whole,
 ‘ exceed forty Shares, each Share being always one thousand Pounds Scots, of the said Capital Stock.

IV. And be it further enacted, That in case any Premium or Gain be received upon or by the said
 ‘ Sale or Sales, the same shall be applied for the Benefit of the Governor and Company of the Bank of
 ‘ Scotland; and that no Proprietor shall hold more than twenty Shares of the Old Stock, or more than Forty
 ‘ Shares of the Old and New together.

V. And be it further enacted, That if any Share or Shares of the New Stock shall not be sold at the
 ‘ said General Meeting of Proprietors, then, and in that Case, the Subscription Book shall be immediately
 ‘ again opened, and it shall be in the Power of any Person, who is not already a Proprietor, to subscribe
 ‘ to the Extent of forty Shares; but it shall only be in the Power of a Person, who is already a Proprietor,
 ‘ to subscribe for such a Number of Shares as, joined to those he, she, or they, already hold or stand
 ‘ bound for, do not exceed forty Shares as aforesaid.

VI. And be it further enacted, That each and every Proprietor of New Stock shall receive Dividends
 ‘ upon the Money he, she, or they, shall have paid in upon his, her, or their Subscription, in the same
 ‘ Proportion as the Proprietors of Old Stock receive Dividends upon their Shares; that is to say, if a Pro-
 ‘ prietor of New Stock has paid in one-tenth of his Subscription, he shall receive one-tenth of the Sum
 ‘ which a Proprietor of the same Quantity of Old Stock receives as a Dividend, and so on.

VII. And be it further enacted, That no Subscriber of New Stock shall be intitled to draw any Part
 ‘ of a Dividend, either upon his Old or New Stock, until he has paid his Proportion of any Call of Stock
 ‘ that has been ordered by a Majority of a General Meeting of Proprietors; and each Subscriber of New
 ‘ Stock failing to pay his Proportion of such Call, shall be charged with the legal Interest upon it until
 ‘ the same be paid, and shall have no Vote at Elections or General Meetings while the same remains
 ‘ unpaid.

VIII. And it is hereby enacted, That a Certificate, under the Hand of the Accomptant of the said
 ‘ Bank, certifying that a Call or Calls has not been paid by any of the Persons who have subscribed them-
 ‘ selves to the said New Stock, or by any of the Persons for whom any other Person, empowered as afore-
 ‘ said, has subscribed to the said Stock, shall, when-produced with this Act to the Court of Session, be a
 ‘ sufficient

A Subscription
to be opened for
raising an addi-
tional Capital of
100,000 Ster-
ling by the pre-
sent Proprietors.

Proprietors may
subscribe by
Proxy.

Time limited
for Subscription.

How Shares un-
subscribed for are
to be disposed of.

Gain on Sales to
be applied for the
Use of the Bank.
Proprietors

Number of
Shares ascer-
tained.

If the Shares are
not all sold, a
Subscription to
be again opened.

How Proprietors
of New Stock
are to receive
their Dividends.

No Proprietor
of New Stock to
draw a Dividend
till his Call is
paid in.

Court of Session
to issue Letters
of Horning a-
gainst Persons
failing to pay in
their Calls.

sufficient Warrant to the said Court for issuing Letters of Horning against such Person or Persons for the Call or Calls unpaid by them, at the Instance or Suit of the Treasurer of the said Bank.

Qualification of Governor, &c.

IX. And be it further enacted, That after the additional Capital has been completed by Subscriptions or Purchases, as above directed, no Proprietor shall be elected Governor, unless he has, upon the Original and New Stock together, paid in the Sum of sixteen thousand Pounds Scots; nor Deputy Governor, unless he has, upon the Original and New Stock together, paid in twelve thousand Pounds Scots; nor Director, unless he has upon the Original and New Stock together, paid in six thousand Pounds Scots.

Qualification of Voters.

X. And be it further enacted, That after the said additional Capital has been completed by Subscriptions or Purchases, as above directed, no Proprietor shall be intitled to give his Vote in Election of a Governor, Deputy Governor, or Directors, or in any Question, in any General Meeting, who is not possessed of two thousand Pounds Scots of Old or New Stock, or Old and New Stock together, and who has not actually paid in the said two thousand Pounds: And that every Proprietor shall have a Vote for each two thousand Pounds which he has actually paid in: Provided always, That no Proprietor shall ever be intitled to more than twenty Votes.

After May 15, 1774, Six-tenths of the additional Capital subscribed for to be paid within three Years.

XI. And it is hereby provided and declared, That Six-tenths of the additional Capital to be subscribed for or purchased, in Manner above mentioned, shall be actually paid in by the Subscribers or Purchasers within the Space of three Years from and after the fifteenth Day of *May*, one thousand seven hundred and seventy-four, and that by such Proportions, and at such Times, within the said three Years, as shall be ordered by a Majority of a General Meeting or Meetings of Proprietors; and that the remaining Four-tenths shall be paid in at such Times, and by such Proportions, as shall be ordered by a Majority of a General Meeting or Meetings of Proprietors: Provided always, that nothing herein contained shall prevent a Majority of a General Meeting or Meetings of Proprietors to call for the Whole, or any Part of the additional Capital, at such Time or Times, within the said Period of three Years, from and after the said fifteenth Day of *May*, one thousand seven hundred and seventy-four, as to them shall seem proper.

Proprietors, after the Capital is completed, may pay the Whole of their Subscriptions before May 15, 1775.

XII. And be it enacted by the Authority aforesaid, That it shall be in the Power of every such Subscriber or Subscribers, Purchaser or Purchasers, after the said Capital has been completed, as above directed, to pay in the Whole, but not a Part of the Sum, he, she, or they, has or have subscribed or purchased, although the same shall not have been called for by a General Meeting, provided that such Payment be made by him, her, or them, between and the fifteenth Day of *May*, which will be in the Year of our Lord one thousand seven hundred and seventy-five; and, upon such Payment being so made, with the legal Interest of the same, from the Day of the yearly balancing of the Bank's Books, immediately preceding the Payment, he, she, or they, making such Payment, shall be intitled to a Share of the Profits accruing to the Bank, and be subject to a Share of the Losses that may arise to it, from and after the aforesaid yearly Balancing, immediately preceding such Payment, in Proportion to the Share or Shares so subscribed for and paid in by him, her, or them; and he, she, or they, shall thereupon be intitled to Votes in the Proportions before mentioned; and he shall be intitled to be elected Governor, Deputy Governor, or Director, if the Sums paid in by him be of the Extent above required to qualify him for these Offices.

Manner of choosing Governor, Dep. Governor, &c.

XIII. And whereas the said Act of the *Scotch* Parliament, made in the Year one thousand six hundred and ninety-five, has not been sufficiently explicit in laying down a particular Mode of electing the Governor, Deputy Governor, and Directors, to be annually chosen; and it has been the Practice for the Proprietors to send signed Lists to the Directors of the Persons they intended to vote for, and for the Directors to report to a subsequent General Meeting the Persons chosen by the Majority: And whereas, instead of choosing twenty-four Directors, in Terms of the aforesaid Act, it has been the Practice, in consequence of a Resolution of a General Meeting of the Proprietors, held on the twelfth Day of *June*, one thousand six hundred and ninety-six, to chuse twelve ordinary Directors, and twelve extraordinary Directors, which last only give their Assistance on certain Occasions; be it therefore enacted by the Authority aforesaid, That in Time to come, a General Meeting of the Proprietors shall be held annually, on the last *Tuesday* of *March*, for the Purpose of choosing a Governor, Deputy Governor, twelve ordinary, and twelve extraordinary Directors; and that every Proprietor, present at that General Meeting, shall give in to the Governor, or Deputy Governor, or such of the Directors for the preceding Year as are then present, a List, containing the Names of the Persons for whom he or she means to vote into these respective Offices.

How Intimation of annual Meetings is to be given for Election of Governor, &c.

XIV. And be it further enacted by the Authority aforesaid, That regular Intimation shall be made in the News-papers, called *The Edinburgh Evening Courant*, and *Caledonian Mercury*, of the Day upon which the Annual General Meeting for the Election of the Governor, Deputy Governor, and Directors, is to be held, at least thirty Days before such annual General Meeting.

Proprietors may send Lists of Persons they intend for Offices.

XV. And, in order that those Proprietors who cannot attend personally may not be deprived of the Right to vote in such Election, be it also hereby further enacted, That all such Proprietors shall be allowed to send Lists of the Persons whom they mean to vote into the said respective Offices, which List, if holograph, of the Proprietor or Proprietors by whom they are sent, or signed by such Proprietor or Proprietors before two or more credible Witnesses, and addressed to the Governor, Deputy Governor, and Directors of the Bank of *Scotland*, shall be equally effectual as if the Signers of them were personally present: And the Lists being so given in, the Governor, Deputy Governor, and Directors, of the preceding Year, or such of them as are present, shall immediately proceed to investigate the Lists in Presence of the Meeting; and shall report, to that Meeting, the Names of the Persons who appear to be elected, by the Majority of Votes, into the said respective Offices of Governor, Deputy Governor, and Directors, ordinary and extraordinary.

Persons claiming to vote at Elections to take

XVI. Provided always, That every Person claiming a Right to vote in such Election, or to vote in any General Meeting of the said Bank, shall be obliged to, and do take the following Oath; *videlicet*,

' I A. B.

I A. B. do swear (or being one of the People called *Quakers*, do solemnly affirm), That the Shares of the Capital Stock of the Body Politick, called *The Governor and Company of the Bank of Scotland*, now standing in my Name, belong to me, in my own Right, and not in Trust for any Person or Persons whatsoever.

the following Oath.

* So help me GOD.*

Which Oath shall and may be administered by the Governor, or Deputy Governor, for the preceding Year, or (in the Absence of the said Governor, and Deputy Governor,) by any one of the Directors then present; and that no Person refusing to take such Oath shall be capable to vote at such General Meetings of the said Company: And provided always, That all and every the Proprietors, who cannot attend the General Meeting for the Election of Governor, Deputy Governor, and Directors, and shall, on that Account, send signed Lists, in Manner above allowed, shall make Oath before one of his Majesty's Justices of the Peace of *Great Britain or Ireland*, or the Chief Magistrate of any City or Borough within *Great Britain or Ireland*, where such Person resides for the Time, That the Shares of the Capital Stock of the Body Politick, called *The Governor and Company of the Bank of Scotland*, standing then in his Name, doth belong to him in his own Right, and not in Trust for any Person or Persons whatsoever; which Affidavit, signed by such Person, and certified under the Hand of the Justice of Peace or Chief Magistrate before whom it is made, shall be transmitted to the Governor, Deputy Governor, and Directors, of the said Bank, along with his or her signed List.

Proprietors, who cannot attend, to make Oath.

XVII. And it is hereby provided and declared, That the said Act of the *Scots* Parliament, in the Year one thousand six hundred and ninety-five, shall remain in full Force as to every Particular, excepting in so far as the same is altered by this Act, and shall operate with regard to the New Stock, in the same Manner it does upon the Old Stock.

The Act in 1695, to remain in Force, except so far as is altered by this Act. Publick Act.

XVIII. And, lastly, be it enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act; and shall be judicially taken Notice of by all Judges, Justices, and others whatsoever, without specially pleading the same.

C A P. XXXIII.

An Act for dividing and inclosing the open Fields, Meadows, stinted common Pastures, and other common and waste Lands and Grounds, in the Parish of *Tetney*, in the County of *Lincoln*; and for draining and improving Part of the said Parish.

C A P. XXXIV.

An Act for granting further Time to the United Company of Merchants of *England*, trading to the *East Indies*, to expose to Sale the Singlo and Bohea Teas remaining in their Warehouses unfold, on the Fifth Day of *April*, one thousand seven hundred and seventy-four; and for allowing the Drawbacks on the Exportation of such Teas.

WHEREAS by several Acts of Parliament now in Force, for granting, continuing, and better securing the Duties payable *ad valorem* upon unrated *East India* Goods, and for ascertaining the Values thereof according to which such Duties shall be paid, the Importer or Importers thereof are to give Security, by Bond, for Payment of the said Duties, according to the real Values of the said Goods, to be ascertained according to the respective Acts of Parliament in that Behalf made (except Coffee), as soon as the said Goods shall be sold; and also for exposing the said Goods to Sale openly and fairly by Way of Auction, or by Inch of Candle, within the City of *London*, within the Time of three Years after the Importation thereof: And whereas the Quantity of Singlo and Bohea Teas imported by the United Company of Merchants of *England*, trading to the *East Indies*, and which remained in their Warehouses unfold on the fifth Day of *April*, one thousand seven hundred and seventy-four, is greater than can be expected to be sold by the said Company, within the Term of three Years so limited for that Purpose, to be computed from the respective Times of the Importation of such Teas, and it is necessary that some further Time should be granted to the said Company to put their said Teas up to Sale: 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 for such of the said Singlo Teas as are at present imported, and which remained unfold on the fifth Day of *April*, one thousand seven hundred and seventy-four, the said United Company may at any Time within the Space of five Years, to be computed from the Importation thereof, and for such of the said Bohea Teas as are at present imported, and which remained unfold on the said fifth Day of *April*, one thousand seven hundred and seventy-four, the said United Company may, at any Time within the Space of four Years, to be computed from the Importation thereof, expose such respective Teas to Sale; and, after such Sale or Sales, there shall be allowed the like Discounts on Payments of the respective Duties on such Teas, as if the same had been exposed to Sale within the Term of three Years before mentioned, or any other Time heretofore limited by Law; any Law, Usage, or Custom, to the contrary, notwithstanding.

Preamble:

The East India Company may expose to Sale Teas remaining on Hand on April 5, 1774.

II. And be it further enacted by the Authority aforesaid, That for and during the said respective Times of five Years and four Years, to be computed as aforesaid, there shall be drawn back and allowed for all the said Teas as shall be exported from this Kingdom as Merchandise to *Ireland*, or any of the *British* Colonies or Plantations in *America*, to the Exporter or Exporters thereof, such and the same Drawbacks

During the Times of five and four Years, allowing the Drawbacks to or

Ireland and
America.

The United
Company to
keep the Mar-
ket supplied in
Great Britain
with Tea;
or the Treasury
may order other
Persons to im-
port the same.

or Allowances; and under such Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would have been intitled to, in case such Teas had been exported within the said Term of three Years; any Law, Usage, or Custom, to the contrary notwithstanding.

III. Provided always, and be it further enacted by the Authority aforesaid, That if the said United Company of Merchants of *England*, trading to the *East Indies*, shall, at any Time, neglect to keep the Market supplied with a sufficient Quantity of Tea at reasonable Prices to answer the Consumption thereof in *Great Britain*, it shall and may be lawful to and for the Commissioners of the Treasury, or any two or more of them, or the Lord High Treasurer for the Time being, to grant Licences to any other Person or Persons, Body or Bodies Politick or Corporate, to import into *Great Britain*, from any Parts of *Europe*, in such and the like Manner, and subject to such Duties, and under such Restrictions and Limitations, and upon such Notices, and with such Licences, as are, by any Act or Acts now in Force, prescribed and directed with respect to Tea to be imported from any Parts of *Europe* by the said United Company of Merchants of *England* trading to the *East Indies*; any Thing in this Act contained to the contrary thereof in any-wise notwithstanding.

C A P. XXXV.

An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to compound certain Debts due to his Majesty, and affecting the Estates heretofore of *Charles Mason* Esquire, deceased, in the Counties of *Montgomery* and *Salop*; and, upon Payment of such Composition, to discharge and exonerate the said Estates therefrom.

Preamble.

WHEREAS it appears by the general Certificate of his Majesty's Imprests, that *Charles Mason* Esquire, late Treasurer of the Transport Service, on the Foot of his final Account of that Service to the nineteenth of *April*, one thousand seven hundred and eight, was indebted to the Crown the Sum of three thousand one hundred and twenty Pounds, twelve Shillings and Three-pence: And whereas by a Decree of the High Court of *Chancery*, made and pronounced on or about the ninth Day of *December*, in the twelfth Year of the Reign of *Queen Anne*, in the Year of our Lord one thousand seven hundred and thirteen, in a Cause between *Sir Bybye Lake* Baronet, Son, Heir, and Executor, of *Thomas Lake* Esquire, then deceased, Plaintiff, and *Charles Mason* Esquire, *Thomas Paine*, *Joseph Newell*, and *George Newell*, Defendants; and also in a cross Cause between the said *Charles Mason* Plaintiff, and *Sir Bybye Lake* Baronet, *Thomas Paine*, *Joseph Newell*, *George Newell*, *Charles Turner*, *Sherrard*, the then Attorney General of the said *Queen*, *William Poultney*, and *Arthur Lake*, Defendants; after stating therein (amongst other Things) certain Mortgages and Securities, whereby all the Estates of the said *Charles Mason* were conveyed and made over to the said *Thomas Lake*, and others, his Trustees for securing unto the said *Thomas Lake* several large Sums of Money therein mentioned, and then due to the said *Sir Bybye Lake*, as his Executor; and also stating that the said *Joseph* and *George Newell*, being indebted to her said Majesty, an Extent issued out of the Court of *Exchequer* against them, and that, by an Inquisition taken thereon, the said *Charles Mason* was found to be indebted to the said *Joseph* and *George Newell* in the Sums of three thousand five hundred Pounds, and four thousand Pounds, being so much Money paid and expended by them for the Use of the said *Charles Mason*, and those Debts were seized into her said Majesty's Hands; it was, amongst other Things, ordered and decreed, That *Master Browning*, one of the Masters of the said Court of *Chancery*, should take an Account of what was due to the said *Sir Bybye Lake* for principal Money and Interest on the several Mortgages and Sums of Money therein mentioned, and what upon such Account should be found due, together with the Costs of the said Suits, from the Time of the said Hearing of the said Causes, was to be satisfied by a Sale of a competent Part of the said *Charles Mason*'s Estates in the said Counties of *Montgomery* or *Salop*; but in case such Sale could not be had within a Year, the said *Sir Bybye Lake* was to be at Liberty to apply to the Court touching the Foreclosure prayed by his Bill; and it was further ordered, that the said *Master* should take an Account of all Dealings and Transactions between the said *Mason* and the Defendants the *Newells*, and what, upon such Account, should appear to be due to the said *Mason*, including what he should pay on the said Mortgages to the said *Lake*, the said *Mason* was to come in as a Creditor with the rest of the Creditors of the said *Newells*; but if, upon the said Account, the said *Mason* should appear to be indebted to the said *Newells*, then what he the said *Mason* should be so found indebted should be raised, after Satisfaction of the Monies due to the said *Lake*, by a Sale of a further Part of the said *Mason*'s Estates in the said Counties of *Montgomery* and *Salop*; and the Money, when raised, was to be paid towards Satisfaction of the Debt due from the said *Newells* to the Crown: And whereas the Right Honourable *Henry Arthur*, late Earl of *Powis*, deceased, Father of the present Earl, not long before his Decease, presented a Memorial to the Right Honourable the Lords Commissioners of his Majesty's Treasury, thereby stating, amongst other Things, That he had then lately purchased great Part of the said mortgaged Premises; but though the same, by reason of the great Amount of the said prior Incumbrances, would not be sufficient to answer any Part of the said Debt to the Crown, yet so long as the said Debt continued a Charge on the said Estates, it would be such an Objection to the Title as would prevent the Memorialist from settling or making Sale of any Part thereof, and therefore the said Memorialist prayed to be permitted to compound the said Claim of the Crown: And whereas the Lords Commissioners of his Majesty's Treasury referred the said Memorial to the Solicitor of the Treasury to consider the same, and to report to their Lordships a State of the Case, with his Opinion thereon; and *Thomas Nutball* Esquire, the Solicitor of the Treasury, by his Report, bearing Date the twenty-fourth Day of *November*, in the

Year one thousand seven hundred and seventy two, certified, amongst other Things, to the Lords Commissioners of the Treasury, That, by the Master's Report in the aforesaid Cause, dated the twenty-sixth Day of June, one thousand seven hundred and seventy, it appeared there was then due to *Bybye Lake Esquire*, the legal Representative of the said Sir *Bybye Lake* Baronet, on his said Mortgages on the said *Mason's* Estate in *Montgomery* and *Shropshire*, for Principal, Interest, and Costs, thirty-eight thousand four hundred and twenty-one Pounds two Shillings and Four-pence; and which, by the said Report, was appointed to be paid to the said *Bybye Lake* on the fourth Day of July then next ensuing, and which it was represented to the said Solicitor had not been paid; and the said Solicitor further certified to the said Lords Commissioners, That it also appeared, by an Account of the Receiver of the said mortgaged Premises passed in the Court of Chancery for one Year, ending at *Lady-day* one thousand seven hundred and sixty-eight, that the yearly Value of the said mortgaged Premises in *Montgomery* and *Shropshire* is only one thousand one hundred and four Pounds fifteen Shillings and Ten-pence; he therefore submitted to the said Lords Commissioners Consideration, that, under the Circumstances of the Case, and particularly in regard to the said mortgaged Premises, if sold, would not sell for nearly the Sum reported due to the said *Bybye Lake* on the twenty-sixth Day of June, one thousand seven hundred and seventy, the Claim the Crown has thereon, under the said Decree in one thousand seven hundred and thirteen, could never be satisfied; and therefore the said Solicitor was of Opinion, that if their Lordships should think fit, they might properly consent to the said Estates being discharged from the Debt due to the Crown; but as it appeared, from the Decree and Proceedings in the said Cause in Chancery, that the Solicitor of the Taxes had had the sole Management of the Crown's Interest in this Matter, he submitted it to their Lordships, whether it would not be proper to direct the Matter to be laid before the Solicitor of the Tax Office, who, from the Papers in his Custody, could exactly ascertain what the Crown Debt really amounted to, and who would be better able to advise their Lordships whether any, and what, Composition ought to be paid: And whereas the Lords Commissioners of the Treasury referred the said Report of the said Solicitor of the Treasury to *Henry Wilmot Esquire*, the Solicitor of the Tax Office, who, by his Report, dated the second Day of July, in the Year of our Lord one thousand seven hundred and seventy-three, did certify to the said Lords Commissioners of his Majesty's Treasury (amongst other Things), That it appeared to him, by the Books at the Tax Office, that so long ago as the Year one thousand seven hundred and seven, or one thousand seven hundred and eight, *George Dixon*, the then Receiver for the County of *Somerset*, failed, indebted to her late Majesty Queen *Anne* in the Sum of twenty-two thousand four hundred and twenty-two Pounds and six Shillings, which, by the said Books, appeared to be still due; and that the before-mentioned *Newells* were the Securities for the said *Dixon*; and it also appeared to him, by the Answer of the Attorney General, as stated in the before-mentioned Decree of one thousand seven hundred and thirteen, that an Extent issued against the said *Newells*, and upon an Inquisition taken thereon upon the thirteenth Day of December, in the sixth Year of the Reign of Queen *Anne*, *Charles Mason* was found to be indebted to the said *Newells* in the several Sums of three thousand five hundred Pounds, and four thousand Pounds, being so much paid by them for the Use of the said *Mason*, which Debts were seized into her Majesty's Hands; and the said Solicitor of the Taxes did further certify to their Lordships, That the Facts stated in the Report of the said Solicitor of the Treasury, with regard to the Debt due to the aforesaid Master *Lake* therein mentioned, and with regard to the annual Value of the said mortgaged Premises, are truly stated; wherefore the said Solicitor of the Taxes was of Opinion, That the Interest of the Mortgage to the said Master *Lake* (whose Debt was prior to that of the Crown), greatly exceeded the whole Income of the mortgaged Estate, and, of consequence, that the said Master *Lake's* Debt did annually increase; and that he was also of Opinion, That the Debt due to the said Master *Lake* much exceeded the intrinsic Value of the mortgaged Estate; and the said Solicitor of the Taxes did further inform their said Lordships, That Lord *Clive*, having, for a small Sum of Money, obtained a Conveyance of the Equity of Redemption of the said mortgaged Premises from the Heir at Law of the said *Charles Mason*, redeemed Lord *Catherlough*, the Assignee of the said Master *Lake* the Mortgagee, afterwards sold to, or exchanged with, the Petitioner, the Earl of *Powis*, the said mortgaged Premises, or some considerable Part thereof; but that, as the Conveyance obtained by the said Lord *Clive* from the Heir at Law of *Mason*, could not bar the Crown, therefore it was of Consequence to the Petitioner the Earl of *Powis* and to Lord *Clive* (if any Part of the mortgaged Estate remained in him), to get rid of the Debt due to the Crown, to establish their respective Titles to the said mortgaged Premises; and that, upon the Whole, as the Debt due to the said Master *Lake* appeared to him greatly to exceed the real Value of the said mortgaged Estate, and as that Debt would always be prior to that of the Crown, and might be set up by the Earl of *Powis* and Lord *Clive* against the Crown Debt; and as the Rents of the said Estate would not nearly pay the Interest of that Debt, which consequently would annually increase; and as it would not, in the said Solicitor's Opinion, be at all advisable for the Crown to redeem the said Mortgage; he thought it might be proper for their Lordships to permit the Petitioner, the said Earl of *Powis*, to apply to Parliament, to enable their Lordships to compound the Debt due to the Crown, and after such Act should be obtained, their Lordships might compound the said Debt at such Sum of Money, as, under all the Circumstances of the Case, their Lordships should think reasonable; but he was of Opinion their Lordships could not compound the same without the Aid of Parliament: And whereas the said *Henry Arthur*, Earl of *Powis*, is dead, leaving the Right Honourable *George Edward Henry Arthur*, now Earl of *Powis*, his only Son and Heir, who is an Infant, and the Right Honourable *Barbara* Countess Dowager of *Powis*, the Mother, and one of the Guardians, appointed by the Will of the said *Henry Arthur* Earl of *Powis*, of the said *George Edward Henry Arthur* Earl of *Powis*, the Infant, hath, since the Decease of the said late Earl, her Husband, applied to the Lords Commissioners of his Majesty's Treasury in Behalf of her said Son, to compound the said Debt to the Crown, affecting the said Estates late of the said *Charles Mason*, which

Lord High Treasurer may compound with the Earl of Powis, &c. for a Debt due by Charles Mason to the Crown.

‘ the Lords Commissioners of his Majesty’s Treasury are willing (as it is reasonable) so to do, if enabled thereunto by an Act of Parliament:’ Wherefore, your Majesty’s most dutiful and loyal Subject, the said *Barbara Countess Dowager of Powis*, for and in Behalf of the said *George Edward Henry Arthur Earl of Powis*, her said Infant Son, doth 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 and may be lawful to and for the Commissioners for executing the Office of Treasurer of his Majesty’s Exchequer now being, or any three or more of them, or the Lord High Treasurer for the Time being, or any three or more of the Commissioners for executing the Office of Treasurer of his Majesty’s Exchequer for the Time being, and he and they is and are hereby authorized and empowered to make an Agreement, and compound with the said *George Edward Henry Arthur Earl of Powis*, his Guardian or Guardians, Heirs or Assigns, for the Payment of such Sum of Money, by him the said *George Edward Henry Arthur Earl of Powis*, his Guardian or Guardians, Heirs, Executors, Administrators, or Assigns, in lieu and full Satisfaction of the Debt, Sum or Sums of Money herein-before mentioned to be due from the said *Charles Mason*, deceased, to the Crown, as Treasurer of the Transport Service, as aforesaid, and from the said *Charles Mason*, to her said late Majesty Queen *Anne*, or from the said *Charles Mason* to the said *Joseph and George Newells*, Debtor to the said Queen, as aforesaid; and, by the aforesaid Decree of the ninth Day of *December*, in the twelfth Year of the Reign of her said late Majesty Queen *Anne*, directed to be raised and paid, and which is now due and owing to his Majesty; and also of all Sum and Sums of Money now due, or hereafter to grow or become due, to his Majesty, his Heirs or Successors, for or on Account, or by Reason or Means, of the said Debt, Sum or Sums of Money, as to them the said Commissioners for executing the Office of Treasurer of his Majesty’s Exchequer, or the Lord High Treasurer, as aforesaid, shall seem meet and reasonable, and by his or their Warrant or Warrants to direct the said *George Edward Henry Arthur Earl of Powis*, his Guardian or Guardians, his Executors, Administrators, or Assigns, to pay into the Receipt of his Majesty’s Exchequer such Sum or Sums of Money as shall be so agreed for and compounded as aforesaid, and, upon such Payment, entirely to acquit, exonerate, and discharge the said *George Edward Henry Arthur Earl of Powis*, his Heirs, Executors, Administrators, and Assigns, and the Lands, Tenements, and Hereditaments, heretofore the Estate of the said *Charles Mason*, deceased, in the Counties of *Salop* and *Montgomery*, or either of them, of and from all Claims and Demands for and on account of the said Debts to due to the Crown, or to his Majesty, as aforesaid.

After Payment of Money so compounded for, Earl of Powis, &c. released of Charles Mason’s Debts to the Crown.

II. And be it further enacted by the Authority aforesaid, That immediately from and after Payment shall be made into the Receipt of his Majesty’s Exchequer of such Sum or Sums of Money as shall be so agreed for and compounded as aforesaid, the said *George Edward Henry Arthur Earl of Powis*, his Heirs, Executors, Administrators, and Assigns respectively, and all and every the Manors, Messuages, Farms, Lands, Tenements, Tithes, and Hereditaments, which were the Estates of the aforesaid *Charles Mason*, deceased, in the said Counties of *Salop* and *Montgomery*, and comprised in the said Mortgage, as aforesaid, shall be freed, acquitted, released, exempted, exonerated, and discharged of, from, and against, the Payment of the said Debts herein-before mentioned to be due from the said *Charles Mason* to the Crown, and from the said *Charles Mason* to her said late Majesty Queen *Anne*, or from the said *Charles Mason* to the said *Joseph and George Newells*, Debtors to the said Queen, as aforesaid; and which, by the aforesaid Decree of the ninth Day of *December*, in the twelfth Year of the Reign of her said late Majesty Queen *Anne*, was directed to be raised and paid, as aforesaid; and also of, from, and against, all Sum and Sums of Money now due, and hereafter to grow or become due, to the Crown, or to his Majesty, his Heirs or Successors, for, or on account, or by occasion or means, of the said Debts, in any Manner howsoever; and also of, from, and against, all Inquisitions, Extents, Executions, Claims, and Demands whatsoever, of his said Majesty, his Heirs or Successors, for, on account, or in respect of, the same Debts, or any Part thereof, in any-wise howsoever.

C A P. XXXVI.

An Act to explain and amend an Act, made in the thirteenth Year of his present Majesty’s Reign, 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*; so far as the same relates to the continuing and granting an additional Term of five Years to Acts made for amending Turnpike Roads.

Preamble.
Act 23 Geo. 2.

‘ WHEREAS by an Act, made in the twenty-eighth Year of the Reign of his Majesty King George the Second (intituled, *An Act to amend an Act, made in the twenty-sixth Year of the Reign of his present Majesty, intituled, An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom*; and for the more effectual Execution of the Laws relating thereto), it was, amongst other Things, enacted, for the Encouragement of Broad Wheels, that all Carriages having the Fellies of the Wheels of the Breadth of nine Inches, should pass through all Turnpike-gates without paying any Toll, for three Years: And whereas, in order to make Recompence to the Creditors upon the Tolls of such Gates, for any Diminution of Toll that might arise by such Exemption, it was further enacted, That every Act of Parliament, made in that Session, or theretofore, for repairing and amending Turnpike Roads, should be continued for five Years, to be computed from the Expiration of every such Act, subject to the Tolls, Duties, Penalties, Forfeitures, Remedies, Powers,

Powers, Authorities, Clauses, Rules, Directions, Payments, and Provisions, by such Acts respectively made and enacted: And whereas by one other Act, made in the seventh Year of the Reign of his present Majesty (intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads of this Kingdom, and for other Purposes therein mentioned*), the said Act of the twenty-eighth Year of his late Majesty, except so much thereof as continue the Acts then made for repairing and amending Turnpike Roads, subject to the Tolls and Duties by such Acts respectively granted, was repealed: And whereas by one other Act, made in the thirteenth Year of the Reign of his present Majesty (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*), the said Act of the Seventh Year of his present Majesty, except so much thereof as repealed the several Acts therein mentioned, was also repealed: And whereas Doubts have arisen, whether the said last-mentioned Act, made in the thirteenth Year of his present Majesty, by repealing the said Act of the seventh Year of his present Majesty, in the Manner aforesaid, hath not virtually repealed that Part of the Act of the twenty-eighth Year of his late Majesty, which continued the said Turnpike Acts for five Years; in order therefore to obviate all such Doubts, and to enforce the said Provision for continuing the said Turnpike Acts, as contained in the said Act of the twenty-eighth Year of his late Majesty's Reign; 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 Provision made by the said Act of the twenty-eighth Year of the Reign of his late Majesty, for continuing the several Acts, made for repairing and amending Turnpike Roads for five Years, shall be and continue in full Force, and be as effectual, to all Intents and Purposes, as the same could, might, or ought to have been, if the said Acts of the seventh and thirteenth Years of his present Majesty's Reign, or either of them, had not been made; any Thing in those Acts, or in either of them, contained to the contrary notwithstanding.

Provisions of Act 28 Geo. 2. for repairing Turnpike Roads for five Years, continued.

II. And be it further enacted, That all and every Person and Persons, who hath or have received, or shall hereafter receive, any Tolls, or other Duties, at any Turnpike or Toll-gate; or who hath acted, or shall hereafter act, in any other respect under the Authority of, and in Execution of any of the Powers of any Act or Acts of Parliament so continued, or intended to be continued, by the said recited Act of the Twenty-eighth Year of his late Majesty, shall be, and is and are hereby indemnified for what he, she, or they have so received or done, or for what he or they shall receive, or do by virtue thereof.

Persons who have or shall receive Tolls at any Turnpike by the aforesaid Act indemnified, &c.

C A P. XXXVII.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers. *Further Time given till January 1, 1775.*

C A P. XXXVIII.

An Act for paving, repairing, cleansing, and lighting, the Streets and Lanes in the City of *Hereford*, and Suburbs thereof, and removing Nuisances and Annoyances therein, and for creating a Fund towards the Expences thereof, by inclosing divers waste Grounds within the Liberties of the said City, and for the better Application of Charity-money for setting the poor People of the said City to Work, and to enable Bodies Corporate to alienate their Houses and Lands within the said City.

C A P. XXXIX.

An Act for the impartial Administration of Justice in the Cases of Persons questioned for any Acts done by them in the Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of the *Massachusetts Bay*, in *New England*.

WHEREAS in his Majesty's Province of *Massachusetts Bay*, in *New England*, an Attempt hath lately been made to throw off the Authority of the Parliament of *Great Britain* over the said Province, and an actual and avowed Resistance, by open Force, to the Execution of certain Acts of Parliament, hath been suffered to take place, uncontroled and unpunished, in Defiance of his Majesty's Authority, and to the utter Subversion of all lawful Government: And whereas, in the present disordered State of the said Province, it is of the utmost Importance to the general Welfare thereof, and to the Re-establishment of lawful Authority throughout the same, that neither the Magistrates acting in Support of the Laws, nor any of his Majesty's Subjects aiding and assisting them therein, or in the Suppression of Riots and Tumults, raised in Opposition to the Execution of the Laws and Statutes of this Realm, should be discouraged from the proper Discharge of their Duty, by an Apprehension, that in case of their being questioned for any Acts done therein, they may be liable to be brought to Trial for the same before Persons who do not acknowledge the Validity of the Laws, in the Execution whereof, or the Authority of the Magistrate in the Support of whom, such Acts had been done: In order therefore to remove every such Discouragement from the Minds of his Majesty's Subjects, and to induce them, upon all proper Occasions, to exert themselves in Support of the public Peace of the Province, and of the Authority of the King and Parliament of *Great Britain* over 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 if any Inquisition or Indictment shall be found, or if any Appeal shall be sued or preferred against any Person, for Murder, or other capital Offence, in the Province of the *Massachusetts Bay*,

Preamble.

How Indictments against Magistrates, and

others, for capital Offences, in the Execution of their Duty, may be tried.

Bay, and it shall appear, by Information given upon Oath to the Governor, or, in his Absence, to the Lieutenant-governor of the said Province, that the Fact was committed by the Person against whom such Inquisition or Indictment shall be found, or against whom such Appeal shall be sued or preferred, as aforesaid, either in the Execution of his Duty as a Magistrate, for the Suppression of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magistrate, for the Suppression of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and assisting in any of the Cases aforesaid; and if it shall also appear, to the Satisfaction of the said Governor, or Lieutenant-governor respectively, that an indifferent Trial cannot be had within the said Province, in that Case it shall and may be lawful for the Governor, or Lieutenant-governor, to direct, with the Advice and Consent of the Council, that the Inquisition, Indictment, or Appeal, shall be tried in some other of his Majesty's Colonies, or in Great Britain; and for that Purpose, to order the Person against whom such Inquisition or Indictment shall be found, or against whom such Appeal shall be sued or preferred, as aforesaid, to be sent, under sufficient Custody, to the Place appointed for his Trial, or to admit such Person to Bail, taking a Recognizance (which the said Governor, or, in his Absence, the Lieutenant-governor, is hereby authorized to take), from such Person, with sufficient Sureties, to be approved of by the said Governor, or, in his Absence, the Lieutenant-governor, in such Sums of Money, as the said Governor, or, in his Absence, the Lieutenant-governor, shall deem reasonable, for the personal Appearance of such Person, if the Trial shall be appointed to be had in any other Colony, before the Governor, or Lieutenant-governor, or Commander in Chief of such Colony; and if the Trial shall be appointed to be had in Great Britain, then before his Majesty's Court of King's Bench, at a Time to be mentioned in such Recognizances; and the Governor, or Lieutenant-governor, or Commander in Chief of the Colony where such Trial shall be appointed to be had, or Court of King's Bench, where the Trial is appointed to be had in Great Britain, upon the Appearance of such Person, according to such Recognizance, or in Custody, shall either commit such Person, or admit him to Bail, until such Trial; and which the said Governor, or Lieutenant-governor, or Commander in Chief, and Court of King's Bench, are hereby authorized and empowered to do.

Governor to bind in Recognizances to his Majesty all Witnesses the Prosecutor shall desire to attend the Trial, &c. And shall appoint a reasonable Sum for the Expences of every Witness, which the Collectors of the Customs are to pay. Witnesses to be free from all Arrests during their Journey to any Colony, &c. Persons brought before Justices, &c. accused of any capital Crime in the Execution of their Duty, to be admitted to Bail.

II. And, to prevent a Failure of Justice, from the Want of Evidence on the Trial of any such Inquisition, Indictment, or Appeal, be it further enacted, That the Governor, or, in his Absence, the Lieutenant-governor, shall, and he is hereby authorized and required, to bind in Recognizances to his Majesty all such Witnesses as the Prosecutor or Person against whom such Inquisition or Indictment shall be found, or Appeal sued or preferred, shall desire to attend the Trial of the said Inquisition, Indictment, or Appeal, for their personal Appearance, at the Time and Place of such Trial, to give Evidence: And the said Governor, or, in his Absence, the Lieutenant-governor, shall thereupon appoint a reasonable Sum to be allowed for the Expences of every such Witness, and shall thereupon give to each Witness a Certificate, in Writing, under his Hand and Seal, that such Witness has entered into a Recognizance to give Evidence, and specifying the Sum allowed for his Expences; and the Collector and Collectors of the Customs, or one of them, within the said Province, upon the Delivery of such Certificate, are and is hereby authorized and required, forthwith to pay to such Witness the Sum specified therein for his Expences.

III. And be it further enacted by the Authority aforesaid, That all Prosecutors and Witnesses, who shall be under Recognizances to appear in any of his Majesty's Colonies in America, or in Great Britain, in pursuance of this Act, shall be free from all Arrests and Restraints, in any Action or Suit to be commenced against them during their going to such Colony, or coming to Great Britain, and their necessary Stay and Abiding there, on occasion of such Prosecution, and returning again to the said Province of the Massachusetts Bay.

IV. And be it further enacted by the Authority aforesaid, That all and every his Majesty's Justices of the Peace, and other Justices and Coroners, before whom any Person shall be brought, charged with Murder, or other capital Crime, where it shall appear by Proof, on Oath, to such Justices or Coroners, that the Fact was committed by such Person, either in the Execution of his Duty as a Magistrate, for the Suppression of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magistrate, for the Suppression of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and assisting in any of the Cases aforesaid, are hereby authorized and required to admit every such Person so brought before him or them, as aforesaid, to Bail; any Law, Custom, or Usage, to the contrary thereof in any-wise notwithstanding.

V. And be it further enacted by the Authority aforesaid, That where it shall be made appear to the Judges or Justices of any Court, within the said Province of Massachusetts Bay, by any Person, against whom any Inquisition or Indictment shall be found, or Appeal sued or preferred for Murder, or other capital Crime, that the Fact was committed by such Person, either in the Execution of his Duty as a Magistrate, for the Suppression of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magistrate, for the Suppression of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and assisting in any of the Cases aforesaid, and that he intends to make Application to the Governor, or Lieutenant-governor of the said Province, that such Inquisition, Indictment, or Appeal, may be tried in some other of his Majesty's Colonies, or in Great Britain, the said Judges or Justices are hereby authorized and required to adjourn or postpone the Trial of such Inquisition, Indictment, or Appeal, for a reasonable Time, and admit the Person to Bail, in order that he may make Application to the Governor, or Lieutenant-governor, for the Purpose aforesaid.

VI. And be it further enacted, That the Governor, or, in his Absence, the Lieutenant-governor, if he shall direct the Trial to be had in any other of his Majesty's Colonies, shall transmit the Inquisition, Indictment, or Appeal, together with the Recognizances of the Witnesses, and other Recognizances, under the Seal of the Province, to the Governor, or Lieutenant-governor, or Commander in Chief of such

Where Persons are found to have committed Crimes, and desire to be tried in another Colony, Justices to postpone their Trial, &c.

If the Governor directs the Trial to be in any other Colony, he is to transmit the

such other Colony, who shall immediately issue a Commission of *Oyer and Terminer*, and deliver, or cause to be delivered, the said Inquisition, Indictment, or Appeal, with the said Recognizances, to the Chief Justice, and such other Persons as have usually been Commissioners of *Oyer and Terminer*, Justices of Assize, or General Gaol Delivery there; who shall have Power to proceed upon the said Inquisition, Indictment, or Appeal, as if the same had been returned, found, or preferred before them; and the Trial shall thereupon proceed in like Manner, to all Intents and Purposes, as if the Offence had been committed in such Place: And in case the Governor, or, in his Absence, the Lieutenant-governor, shall direct the Trial to be had in *Great Britain*, he shall then transmit the Inquisition, Indictment, or Appeal, together with the Recognizances of the Witnesses, and other Recognizances, under the Seal of the Province, to one of his Majesty's principal Secretaries of State, who shall deliver, or cause to be delivered, the same, to the Master of the Crown Office, to be filed of Record in the Court of *King's Bench*, and the Inquisition, Indictment, or Appeal, shall be tried and proceeded upon, in the next Term, or at such other Time as the Court shall appoint, at the Bar of the Court of *King's Bench*, in like Manner, to all Intents and Purposes, as if the Offence had been committed in the County of *Middlesex*, or in any other County of that Part of *Great Britain* called *England* where the Court of *King's Bench* shall sit, or else before such Commissioners, and in such County, in that Part of *Great Britain* called *England*, as shall be assigned by the King's Majesty's Commission, in like Manner and Form, to all Intents and Purposes, as if such Offence had been committed in the same County where such Inquisition, Indictment, or Appeal, shall be so tried.

VII. And be it enacted by the Authority aforesaid, That in case, on account of any Error or Defect in any Indictment, which, in virtue or under the Authority of this Act, shall be transmitted to any other Colony, or to *Great Britain*, the same shall be quashed, or Judgment thereon arrested, or such Indictment adjudged bad upon Demurrer, it shall and may be lawful to prefer a new Indictment or Indictments against the Person or Persons accused in the said Colony, to which such Indictment, so quashed or adjudged bad, shall have been transmitted, or before the Grand Jury of any County in *Great Britain*, in case such former Indictment shall have been transmitted to *Great Britain*, in the same Manner as could be done in case the Party accused should return to the Place where the Offence was committed; and the Grand Jury and Petty Jury of such other Colony or County in *Great Britain* shall have Power to find and proceed upon such Indictment or Indictments, in the same Manner as if the Offence, by such Indictment or Indictments charged, had been committed within the Limits of the Colony or County for which such Juries shall respectively be impanelled to serve.

VIII. And be it further enacted by the Authority aforesaid, That this Act, and every Clause, Provision, Regulation, Matter, and Thing, herein contained, shall commence and take Effect upon the first Day of *June*, one thousand seven hundred and seventy-four; and be, and continue in Force, for and during the Term of three Years.

C A P. XL.

An Act for divesting out of the Crown the Plantation and Estate of *Ulysses Fitzmaurice* Esquire, deceased, and for vesting the same in Trustees, to be sold for Payment of his Debts, and for other Purposes therein mentioned.

WHEREAS *Ulysses Fitzmaurice* Esquire, late Lieutenant-governor of the Island of *Saint Vincent*, deceased, was, in his Lifetime, and at the Time of his Decease, which happened in the Island of *Grenada*, on or about the twenty-first Day of *August*, in the Year of our Lord one thousand seven hundred and seventy-two, seized, to him and his Heirs, of a Coffee Plantation, and Estate called *Bowwood*, situate in the Parish of *Saint Andrew*, in the Island of *Dominica*, containing four hundred Acres, or thereabouts, partly Wood Land, and partly planted with Coffee, and of divers Negroes and other Slaves, and a small Leasehold Estate in the County of *Kerry*, in the Kingdom of *Ireland*; and was also possessed of and intitled to, a personal Estate, which (including the Value of the said Slaves) hath been estimated at the Sum of three thousand four hundred and fifty-six Pounds eight Shillings and one Penny Halfpenny Sterling, or thereabouts, but will not, as it is apprehended, produce near that Sum: And whereas the said *Ulysses Fitzmaurice* was the natural or reputed Son of the late Right Honourable *William Fitzmaurice* Earl of *Kerry*, in the Kingdom of *Ireland*, deceased, and left several poor Relations on his Mother's Side, and a Brother of the Half-blood, the natural or reputed Son also of the said Earl of *Kerry*, *videlicet*, *Abraam Fitzmaurice* of *Plumtree Street*, in the Parish of *Saint Giles in the Fields*, in the County of *Middlesex*, Gentleman, for all or several of whom he intended to have made some Provision, particularly for the said *Abraam Fitzmaurice*, and also for *James*, *Robert*, and *John Fitzmaurice*, having given Instructions for a Will, whereby Legacies were intended them of five hundred Pounds Sterling each, but died before the same was proceeded in, so far as to give Effect to his said Intention: And whereas the said *Ulysses Fitzmaurice* dying a Bachelor, and without Heirs, the said Coffee Plantation, and all other the real Estates of the said *Ulysses Fitzmaurice*, upon his Death escheated, and his personal Estate devolved or came to his Majesty, in Right of his Royal Prerogative: And whereas Letters of Administration of all and singular the Goods, Chattels, Rights, and Credits, of the said *Ulysses Fitzmaurice*, at the Time of his Death, have lately been granted, by the Prerogative Court of the Archbishop of *Canterbury*, unto the Right Honourable *Isaac Barré*, one of his Majesty's most Honourable Privy Council, the Honourable *Thomas Fitzmaurice*, and *David Roberts* Esquire, a Creditor of the said Deceased, for the Use and Benefit of his Majesty; and the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, have given Security for duly administering the Estate and Effects of the said *Ulysses Fitzmaurice*, and for paying unto the Procurator General of his Majesty, for his Majesty's Use, the Sum of ten Pounds of every hundred Pounds Value of

Inquisition, &c. to the Commander in Chief, who is immediately to deliver such Inquisition, &c. to the Chief Justice, &c. who shall be empowered to proceed upon such Inquisition, &c. If the Governor directs the Trial to be in *Great Britain*, he is to transmit the Indictment, &c. to one of the Secretaries of State, &c.

If any Indictment transmitted be accounted bad, another Indictment may be preferred.

Grand Jury empowered to proceed on such Indictment, &c.

Commencement and Continuance of the Act.

Preambles.

' the clear Produce and Surplus of the said Estate and Effects (after Payment of the several Debts affecting
 ' such personal Estate, and the Expences attending the Administration), as usual in the like Cases: And
 ' whereas the Whole of the personal Estate and Effects of the said *Ulysses Fitzmaurice* will be exhausted in
 ' Payment of his just Debts and Funeral Expences, and the same will not be near sufficient for that
 ' Purpose, whereby the Creditors of the said *Ulysses Fitzmaurice* may be prevented from receiving their full
 ' Debts, and the poor Relations of the said *Ulysses Fitzmaurice* on his Mother's Side, and also the said *Aboan*,
 ' *James, Robert, and John Fitzmaurice*, will not receive any Benefit from his Estate and Effects, as was
 ' the Intention of the said *Ulysses Fitzmaurice*, in case he had lived to have carried the same into Execution,
 ' unless the said Plantation and Estate were to be sold, and the Money arising by Sale thereof applied for
 ' those respective Purposes, which cannot well be done without the Aid and Authority of Parliament;
 ' may it therefore please your Majesty (at the humble Petition of the said *Isaac Barré, Thomas Fitzmaurice*,
 ' and *David Roberts*, and which said *David Roberts* is a Creditor of the said *Ulysses Fitzmaurice*) that it may
 ' be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent
 ' of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the
 ' Authority of the same, That all the said Coffee Plantation and Estate called *Bowood*, late of him the
 ' said *Ulysses Fitzmaurice*, situate, lying, and being in the said Parish of *Saint Andrew*, in the said Island of
 ' *Dominica*, containing by Estimation four hundred Acres, or thereabouts, (be the same more or less), with
 ' all and singular the Messuages or Tenements, Erections and Buildings thereon; and all Woods, Under-
 ' woods, and Trees whatsoever growing, standing, or being in or upon the said Premises, or any Part there-
 ' of, and also all the Ground and Soil of the same Woods and Underwoods; and all Waters, Fishings,
 ' Fishing-places, Ways, void Grounds, Rights, Privileges, Profits, Commodities, Emoluments, Advan-
 ' tages, Hereditaments, and Appurtenances, of what Nature, Kind, Condition, or Property soever, or by
 ' whatsoever other Name or Names the same, or any of them, are, is, shall, or may be called or known, to
 ' the said Plantation, Lot, Pieces or Parcels of Ground, Hereditaments, and Premises belonging, or in any-
 ' wise appertaining, or to or with the same, or any Part or Parcel thereof, now, or at any Time heretofore
 ' granted, demised, let, set, used, occupied, or enjoyed, or accepted, reputed, taken, deemed, or known,
 ' as Part, Parcel, or Member thereof (other than and except the Quit and other Rents and Royalties re-
 ' served and made payable to his Majesty, his Heirs and Successors, in and by the Grant or Grants of the
 ' said Plantation, Lot, Parcel of Ground, and Premises), and the Reversion and Reversions, Remainder
 ' and Remainders, yearly and other Rents, Issues, Profits, and Produce, of all and singular the said Pre-
 ' mises, and also all and every the Negro and other Slaves of the said *Ulysses Fitzmaurice*, and the said Lease-
 ' hold Estate in the County of *Kerry*, shall, from and after the said twenty-first Day of *August*, one thousand
 ' seven hundred and seventy-two, be settled upon, and vested in, and the same are hereby, from thenceforth,
 ' settled upon, and vested in, the said *Isaac Barré, Thomas Fitzmaurice*, and *David Roberts*, their Heirs,
 ' Executors, Administrators, and Assigns, according to the Nature of such Estates and Premises, freed, and
 ' absolutely acquitted, exonerated, and discharged of, from, and against all Estate, Right, Title, Interest,
 ' or Claim, of his Majesty, his Heirs and Successors (except as before excepted); but nevertheless upon
 ' the Trusts, and to and for the Ends, Intents, and Purposes, and subject to the Provisions and Declarations
 ' herein-after mentioned, expressed, and declared, of and concerning the same; (that is to say) Upon
 ' Trust, that they the said *Isaac Barré, Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Sur-
 ' vivor of them, or the Heirs, Executors, or Administrators, of such Survivor, shall and do, with all conven-
 ' nient Speed, either by public Auction or private Contract, absolutely sell, convey, and dispose of, all and
 ' singular the said Plantation, Estate, and Premises, hereby vested in them, or any Part or Parts thereof,
 ' either together or in Parcels, unto any Person or Persons who shall be willing to become the Purchaser or
 ' Purchasers thereof, or of any Part thereof, and his, her, or their Heirs, Executors, or Administrators, or
 ' to such other Person or Persons, and for such Uses, as any such Purchaser or Purchasers shall direct,
 ' for the most Money, and best Price or Prices, that, at the Time of such Sale or Sales, can be reasonably had
 ' or gotten for the same; and do and shall pay, apply, and dispose of, the Money arising and to be produced
 ' by such Sale or Sales, as aforesaid, and the Rents, Issues, Profits, and Produce, of the said Estates and
 ' Premises, in the mean time, from the Decease of the said *Ulysses Fitzmaurice*, and until such Sale or Sales
 ' can be had, and also the Surplus (if any) of the personal Estate and Effects of the said *Ulysses Fitzmaurice*,
 ' which shall come to the Hands of the said *Isaac Barré, Thomas Fitzmaurice*, and *David Roberts*, by virtue
 ' of the Letters of Administration herein-before mentioned, and which shall remain after Payment of all the
 ' just Debts and Funeral Expences of the said *Ulysses Fitzmaurice*, and the Charges incident to and attending
 ' the said Administration, and of the said Sum of ten Pounds of every hundred Pounds Value of the clear
 ' Produce and Surplus of the said Estate and Effects for the Use of his Majesty, as aforesaid, in Manner fol-
 ' lowing; (that is to say) In the first place, in paying and defraying the Charges and Expences incident to
 ' and attending the obtaining and passing this present Act, and completing such Sales and Conveyances as
 ' aforesaid, and also the Charges and Expences of getting in, selling, ordering, and managing, of the said
 ' Estates, and the Rents, Issues, Profits, and Produce thereof; and after Payment of the same, and subject
 ' thereto, then upon Trust, that they the said *Isaac Barré, Thomas Fitzmaurice*, and *David Roberts*, and the
 ' Survivors and Survivor of them, and the Heirs, Executors, or Administrators, of such Survivor, shall and
 ' do pay, satisfy, and discharge, all and every the Debts of the said *Ulysses Fitzmaurice* which were owing by
 ' him at the Time of his Death (and which his personal Estate shall not prove sufficient to pay and satisfy),
 ' rateably and proportionably alike, as far as the said Monies will extend to pay; and shall and do, in the
 ' next place, pay to the said *Aboan Fitzmaurice, James Fitzmaurice, Robert Fitzmaurice*, and *John Fitzmau-
 ' rice*, their Executors, Administrators, or Assigns respectively, the Sum of five hundred Pounds each of
 ' lawful Money of *Great Britain*, in case there shall be a Surplus to that Amount, or a rateable Proportion
 ' of the same; and, after Payment thereof, in case a further Surplus shall still remain, then shall and do pay,
 ' distribute, and divide the same, unto and among all and every such other of the poor Relations, or next of
 ' Kin,

Estates vested in
Trustees;

but nevertheless
upon Trust;

with Power to
sell the said
Estates.

Application of
Monies.

Kin, of the said *Ulysses Fitzmaurice*, on his Mother's Side, in equal Degree, who shall, within twelve Calendar Months next after Notice shall be given for that Purpose in the *London Gazette*, and one or more of the publick News-papers printed and circulating in *Ireland*, appear and make out their said Kindred to the said *Ulysses Fitzmaurice*, in the same Shares, Proportions, Manner, and Form, as they would have been intitled to the Surplusage of the personal Estate of the said *Ulysses Fitzmaurice*, in case he had been a legitimate Child, and had died intestate, leaving them his next of Kin.

II. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That in making such last-mentioned Distribution and Division, the said Trustees shall pay and distribute unto *John Fitzmaurice*, now an Infant, the Son of *Caliph Fitzmaurice* deceased, a Brother of the said *Ulysses Fitzmaurice* of the Half-blood, and the natural or reputed Son also of the said Earl of *Kerry*, the same Share and Proportion of such last mentioned Surplus as the said *John Fitzmaurice* would be intitled to have and receive by virtue of this Act, in case he had been one of the poor Relations, or next of Kin, in equal Degree, of the said *Ulysses Fitzmaurice*, on his Mother's Side; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Saving Clause in favour of John Fitzmaurice, an Infant.

III. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That in case such last-mentioned Surplus shall be more than sufficient to pay unto the said poor Relations, or next of Kin, of the said *Ulysses Fitzmaurice* and the said *John Fitzmaurice* the Infant, the Sum of five hundred Pounds each; that then, and in such Case, the Surplus which shall remain, after paying unto each of them the Sum of five hundred Pounds, shall be equally paid, distributed, and divided, unto and among the said *Abrian Fitzmaurice*, *James Fitzmaurice*, *Robert Fitzmaurice*, and *John Fitzmaurice*, their Executors, Administrators, or Assigns; and also all and every such other of the poor Relations or next of Kin of the said *Ulysses Fitzmaurice*, on his Mother's Side, in equal Degree, who shall appear and make out their Kindred in Manner as aforesaid, and the said *John Fitzmaurice* the Infant, equally between them, Part and Share alike; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

How the Surplus is to be divided, in case it affords a larger Sum than that of 500 l. to each of the distant Relations.

IV. Provided always, That it shall and may be lawful to and for the said Trustees to give and assure unto *Gilbert Hillock* Esquire, in Trust for his Son *Gilbert Douglas Hillock*, a Minor, the Negro Boy late belonging to the said *Ulysses Fitzmaurice*, called *Romeo*; and also to give and assure unto the Negro Woman, late belonging to the said *Ulysses Fitzmaurice*, called *Penelope*, her Freedom, according to the Intention of the said *Ulysses Fitzmaurice*, as expressed in the Instructions by him given for making his Will, as herein-before is mentioned; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

A Negro Woman and Boy to be settled according to the Instructions of the Will.

V. And, for promoting and facilitating the Sale of the said Estates and Premises for the Purposes of this Act, it is hereby further enacted and declared by the Authority aforesaid, That all and every Person and Persons to whom the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of such Survivor, shall, by virtue of this Act, make any Sale or Conveyance of all or any Part of the said Plantation, Estate, Hereditaments, and Premises, hereby vested in them, to be sold as aforesaid, and the Heirs, Executors, Administrators, and Assigns, of such Purchaser or Purchasers respectively, shall and may, upon Payment of their respective Purchase-monies to the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of such Survivor, have, hold, and enjoy, the Lands, Hereditaments, and Premises, by them respectively to be purchased, freed, and absolutely discharged, of and from all Estate, Right, Title, Claim, and Interest of his Majesty, his Heirs and Successors (except as herein-before is excepted); and also of and from all and every the Trusts herein-before provided, expressed, and declared, of and concerning the Money to arise by such Sale or Sales; and that the Receipt or Receipts of the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of such Survivor, under their or his Hands or Hand respectively, shall, from Time to Time, be a good and effectual Discharge to the Purchaser or Purchasers of the same Premises, or any Part thereof, his, her, and their Heirs, Executors, Administrators, and Assigns, for so much of the said Purchase-money as in such Receipt shall be expressed to be received; and after such Receipt and Receipts shall be given as aforesaid, such Purchaser and Purchasers shall be, and he, she, and they respectively, is and are hereby absolutely acquitted and discharged of and from the same, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application of the said Purchase-money, or any Part thereof.

After Payment of Purchase-money the Estates to be free from all Claims and Trusts.

VI. And it is hereby further enacted and declared by the Authority aforesaid, That after any Sale or Conveyance of the Premises mentioned to be sold as aforesaid, and until the Money arising by such Sale or Sales shall be paid, distributed, and divided, pursuant to this Act, they the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, and the Survivors and Survivor of them, and the Heirs, Executors, or Administrators of such Survivor, shall, as soon as such Monies, or any Part thereof, shall come to their or any of their Hands, or be received by them, deposit the same in the *Bank of England*, in the Names of all the said Trustees, which shall there remain, and shall not be removed or taken from thence without all their Consents, and that for the Purpose only of paying, dividing, and distributing, the same, pursuant to this Act.

Money arising by the Sale of the Premises to be deposited in the Bank.

VII. And it is hereby further enacted and declared by the Authority aforesaid, That the said *Isaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, shall not, nor shall either of them, nor the Heirs, Executors, or Administrators, of them, or either of them, be answerable or accountable for any Deficiency, Damage, or Loss of Money, to be received by virtue of or under the Trusts hereby in them reposed, or for any Agent, Attorney, or other Person, to be retained or employed by them in the Sale of the said Estate and Premises, or in depositing any such Sum or Sums of Money as aforesaid, or any otherwise relating to the Trusts hereby in them reposed, without his or their own wilful Neglect or Default; and that neither of them shall be answerable or accountable for the Acts, Receipts, Neglects, or Defaults, of the other or others of them, but each for his own Act, Receipt, Neglect, or Default only; and also that the said Trustees, and each of them, their and each of their respective Heirs, Executors, and Administrators, shall

Trustees not to be answerable for the Acts of each other.

and may, by and out of the said Trust-monies and Premises, retain to and reimburse themselves all Costs, Charges, and Expences, that they respectively shall and may sustain, expend, or be put unto, in and about the Execution of the Trusts hereby in them reposed, and the Execution and Management thereof, or any ways touching or concerning the same.

Saving of Rights to Bodies Politick, &c.

VIII. Saving always to all and every Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except his Majesty, his Heirs and Successors), all such Estate, Right, Title, Interest, Benefit, Property, Claim, and Demand whatsoever, of, in, to, or out of the said Estates and Premises hereby vested as aforesaid, every or any Part thereof, as they, every or any of them, had before the passing this Act, or could or might have had and enjoyed in case this Act had not been made.

Publick Act.

IX. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be, a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. XLI.

An Act for further continuing so much of two Acts, made in the sixth and thirteenth Years of the Reign of his present Majesty, as relates to the opening and establishing certain free Ports in the Island of Jamaica.

Preamble. Act 6 Geo. 3.

WHEREAS an Act of Parliament was made in the sixth Year of the Reign of his present Majesty, (intituled, *An Act for opening and establishing certain Ports in the Islands of Jamaica and Dominica, for the more free Importation and Exportation of certain Goods and Merchandises; for granting certain Duties to defray the Expences of opening, maintaining, securing, and improving, such Ports; for ascertaining the Duties to be paid upon the Importation of Goods from the said Island of Dominica into this Kingdom; and for securing the Duties upon Goods imported from the said Island into any other British Colony;*) which was to continue in Force until the first Day of September, one thousand seven hundred and seventy-three, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the thirteenth Year of his present Majesty's Reign, was amended, and such Parts thereof as relate to the said Island of Jamaica were continued until the first Day of November, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament: And whereas the further Continuance of the said Acts, so far as the same relate to the Island of Jamaica, will be highly beneficial to the Trade and Manufactures of this Kingdom; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts, and every Thing therein contained, so far as the same relate to the said Island of Jamaica, shall be, and the same are hereby further continued, until the first Day of November, one thousand seven hundred and eighty, and from thence to the End of the then next Session of Parliament.

and Act 13 Geo. 3.

continued, so far as they relate to Jamaica, until Nov. 1, 1780.

C A P. XLII.

An Act to prohibit the Importation of light Silver Coin, of this Realm, from Foreign Countries, into Great Britain or Ireland; and to restrain the Tender thereof beyond a certain Sum.

Preamble.

WHEREAS considerable Quantities of old Silver Coin of this Realm, or Coin purporting to be such, greatly below the Standard of the Mint in Weight, have been lately imported into this Kingdom, and it is expedient that some Provision should now be made to prevent a Practice which may be carried on at this Time, to the very great Detriment of the Publick; 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 June, one thousand seven hundred and seventy-four, all Silver Coin of this Realm, or any Money purporting to be the Silver Coin of this Realm, which is not of the established Standard of the Mint in Weight and Fineness, shall be prohibited to be imported or brought into the Kingdoms of Great Britain or Ireland from Foreign Countries; and if any Silver Coin being, or purporting to be, the Coin of this Realm, exceeding in Amount the Sum of five Pounds, shall be found, by any Officer of his Majesty's Customs, on board any Ship or Vessel, in any Port, Harbour, Haven, or Creek, or in any Boat, Barge, or other Vessel, upon the Water, within the said Kingdoms, or in the Custody of any Person coming directly from the Water-side, or upon the Information of one or more Person or Persons in any House, Shop, Cellar, Warehouse, Room, or other Place, on a Search there made in such Manner as in and by an Act made in the fourteenth Year of the Reign of the late King Charles the Second, intituled, *An Act for preventing Frauds, and regulating Abuses, in his Majesty's Customs*, is mentioned and directed, if such Search is made in Great Britain, or according to the Manner directed by any Act of Parliament made in Ireland, relative to the searching for uncustomed and prohibited Goods in that Kingdom, if such Search is made there, it shall and may be lawful for such Officer to stop and put such Coin in his Majesty's Custom-house Warehouse, in the Port next to the Place where such Stop shall be made: And if it shall appear, upon Examination there, to the Collector, or other principal Officer of the Customs, of the said Port or Place, that such Silver Coin is of the established Standard of the Mint in Weight and Fineness, the same shall,

After June 1, 1774, all Coin of this Kingdom, or purporting to be, not of the established Standard, prohibited to be brought into this Kingdom; and all such Coin found in Ships, &c. on Search, in Terms of Act 14 Car. 2. to be seized, and committed to the Customhouse Warehouse: If such Silver Coin be the est-

shall, upon Demand, be forthwith delivered to the Owner or Proprietor thereof, without Fee or Reward; and such Officer or Officers, or any Person or Persons acting in his or their Aid or Assistance, shall not be liable to any Action, Suit, or Prosecution, for searching, stopping, or detaining the same; but if such Coin, or any Part thereof, shall be less in Weight than the established Standard of the Mint, that is to say, at and after the Rate of sixty-two Shillings to every Pound Troy, whether the same be in Crowns, Half-crowns, Shillings, Sixpences, or Pieces of a lower Denomination, or of less Fineness than eleven Ounces two Penny-weights of fine Silver, and eighteen Penny-weights of Alloy in the Pound Troy, the same, or such Part thereof as shall be deficient either in Weight or Fineness, as aforesaid, shall be forfeited, and shall and may be seized by any Officer of the Customs, and prosecuted in any Court of Record in *Westminster* or *Dublin*, or in the Court of Exchequer at *Edinburgh*; or if such Coin shall not amount in Value to the Sum of twenty Pounds, in that Case the same shall and may be prosecuted in a summary Way, before any two of his Majesty's Justices of the Peace for the County, City, or Place, where such Seizure shall be made, at the Election of the Commissioners of his Majesty's Customs in *Great Britain*, or the Commissioners of Revenue in *Ireland*, or any three or more of them respectively, in such and the like Manner, and by the same Rules and Regulations, as any Forfeiture incurred by any Law of the Revenue may be sued for and recovered, in the Kingdom of *Great Britain* or *Ireland* respectively: And after Condemnation, the same shall be melted down, cut, or otherwise defaced, in such Manner as the said Commissioners of his Majesty's Customs and Revenue respectively shall direct; and one Moiety of the Produce arising by the Sale thereof, after being so melted down, cut, or defaced (first deducting the Charges of Prosecution and Sale), shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Officer of the Customs as shall sue and prosecute for the same.

II. And be it further enacted by the Authority aforesaid, That no Tender in the Payment of Money made in the Silver Coin of this Realm of any Sum exceeding the Sum of twenty-five Pounds, at any one Time, shall be reputed in Law, or allowed to be a legal Tender within *Great Britain* or *Ireland*, for more than according to its Value by Weight, after the Rate of five Shillings and Two-pence for each Ounce of Silver; and no Person to whom such Tender shall be made shall be any-ways bound thereby, or obliged to receive the same in Payment, in any other Manner than as aforesaid; any Law, Statute, or Usage, to the contrary notwithstanding.

III. And be it further enacted by the Authority aforesaid, That this Act shall continue in Force until the first Day of *May*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament.

blished Standard Weight and Fineness, it is to be restored to the Proprietor; but if deficient in Weight or Fineness to be forfeited;

and prosecuted at Westminster, Dublin, or Edinburgh;

After Condemnation, to be melted down; and one Moiety go to his Majesty, and the other to the Proprietor. No Tender exceeding 25 l. shall be allowed legal for more than its Value.

Continuance of the Act.

C. A P. XLIII.

An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery; and for erecting Offices for the Register and Accountant General of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices.

WHEREAS the Preservation of the Records of the High Court of Chancery, and also of the Books in which the Decrees and Orders of the said Court are entered, and of the Reports made by the Masters of the said Court, in pursuance of such Decrees and Orders; and also of the Books of Account of the Cash and Effects belonging to the Suitors of the said Court, is of the utmost Consequence to the said Suitors, and to the Publick in general: And whereas the Six Clerks of the said Court are seized, to them and their Successors, of the Office called *The Six Clerks Office*, and the several Buildings belonging thereto, situate on the West Side of *Chancery Lane*, within the Liberty of the Rolls, in the County of *Middlesex*; and the Business of the said Court, under their Management, is transacted in their said Office, and the Records in their Custody, consisting of Bills, Answers, Depositions, and other Pleadings and Inrolments of Decrees, Orders, Reports, and other Proceedings, are deposited therein; and the said Office is a very ancient Building, and become very ruinous: And whereas the said Books, wherein the said Decrees and Orders are entered, and the Reports made in pursuance of such Decrees and Orders, and the Books of Account of the said Cash and Effects, are deposited and kept in the Office of the Register of the said Court, and various Books of Account of the Cash and Effects belonging to the Suitors of the said Court are also kept in the Office of the Accountant General of the said Court: And whereas the Rooms now used as Offices for the said Register and Accountant General are, from their Situation and Condition, in great Hazard of being destroyed by Fire: And whereas a very considerable Sum of Money, belonging to the Suitors of the said Court, is now, and has been for many Years, lying dead and unemployed in the Bank of *England*, being Money accumulated under the Act of Parliament of the twelfth Year of his late Majesty King *George* the First, intituled, *An Act for the Relief of the Suitors of the High Court of Chancery*: And whereas by four several Acts of Parliament, passed in the twelfth Year of the Reign of his late Majesty King *George* the Second, and in the fourth, fifth, and ninth Years of the Reign of his present Majesty, several Sums of Money, Part of the Money lying dead and unemployed, have been placed out on Government or Parliamentary Securities, and specifick Parts of the Interest arising therefrom have been appropriated for augmenting the Income of Officers belonging to the said Court; and by the said Act, passed in the ninth Year of the Reign of his present Majesty, it is, amongst other Things, enacted, That the Surplus Interest which had arisen, or which should or might arise, from the Securities purchased, and to be purchased, in pursuance of the said several Acts of Parliament, together with the Interest which should be produced from the Securities to be purchased with such Surplus Interest, should, by any Order or Orders of the said Court, to be made

Preamble,

for that Purpose, from Time to Time, be placed out on Government Securities; and that the Interest or annual Produce arising from the said Securities should, from Time to Time, be received by the Governor and Company of the Bank of *England*, and so much thereof as should arise from Securities to be purchased with the Surplus Interest produced, and to be produced, from Securities purchased in pursuance of the said Acts of the twelfth Year of the Reign of his late Majesty King *George* the Second, and of the fourth Year of the Reign of his present Majesty, and of the said Act of the ninth Year of the Reign of his present Majesty, should be placed to the Credit of an Account to be raised in the Books kept at the Bank, of Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of an Act of Parliament, passed in the twelfth Year of his late Majesty King *George* the Second, and so much thereof as should arise from Securities to be purchased with the Surplus Interest produced, and to be produced, from Securities purchased in pursuance of the said Act of the fifth Year of the Reign of his present Majesty, should be placed to the Credit of an Account to be raised in the said Books kept in the Bank, of Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of an Act of Parliament, passed in the fifth Year of the Reign of his present Majesty: And whereas there are now standing in the Name of the said Accountant General, under the Title of Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the twelfth Year of his late Majesty, five thousand four hundred and fifty Pounds, three *per Centum* Consolidated Bank Annuities, and in Cash, fourteen Pounds three Shillings and Four-pence; and there are also standing, in the Name of the said Accountant General, under the Title of Securities purchased, with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the fifth Year of the Reign of his present Majesty, four thousand seven hundred and fifty Pounds, three *per Centum* Bank Consolidated Annuities, and in Cash three Shillings and Ten-pence; which Annuities and Cash are unappropriated, and it will be no Injury to the Suitors of the said Court if the same, and also the Surplus Interest which shall hereafter arise from the said Annuities, and from the Securities purchased pursuant to the several Acts before mentioned, shall be employed towards raising a Fund for rebuilding and erecting the said several Offices, and in purchasing such Ground as may be necessary for such Purposes; and if a Sum of Money, not exceeding fifty thousand Pounds, Part of the Money lying dead and unemployed as aforesaid, shall be placed out at Interest on Government or Parliamentary Securities, and the Interest thereof, or so much as shall be necessary, applied for the same 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 out of the Cash belonging to the Suitors of the said Court of Chancery, which now lies, or shall hereafter lie dead and unemployed in the Bank of *England*, a Sum not exceeding fifty 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, on such Government or Parliamentary Securities, as in and by such Orders shall be directed, to the Intent that the Interest and annual Produce arising from the Money so to be placed out may be applied for the Purposes herein-after mentioned; and that the said Court of Chancery may, by Order or Orders of the said Court, from Time to Time, change the Security or Securities on which the said Monies shall be so placed out, as the said Court shall think expedient.

II. And be it further enacted, That out of the Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the twelfth Year of his late Majesty King *George* the Second, and out of the Interest produced, and to be produced, from such Securities; and also out of the Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the fifth Year of the Reign of his present Majesty; and out of the Interest produced, and to be produced, from such Securities, and out of the Surplus Interest which shall arise or be produced from Securities purchased in pursuance of the said several Acts of the twelfth Year of the Reign of his late Majesty, and of the fourth, fifth, and ninth Years of the Reign of his present Majesty; and out of the Interest which shall arise or be produced from Securities to be purchased in pursuance of this Act, such Sum or Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, shall, in his and their Discretion, deem necessary, be paid, by virtue of any Order or Orders of the said Court, and be applied under the Direction of the said Court; in the first place, in paying and defraying the Charges and Expences attending the passing and obtaining this Act, and then in rebuilding the said Office, called *The Six Clerks Office*, with the Offices belonging thereto, and in purchasing Ground and Houses for that Purpose, if any shall be deemed necessary by the said Court, and in providing a proper Place for transacting the Business of the said *Six Clerks Office*, during the Time such Office shall be rebuilding; and the Sum of ten thousand Pounds in erecting proper and convenient Offices for the said Register and Accountant General of the said Court, separate and detached from each other, and in purchasing such Ground and Houses as shall be necessary for those Purposes, and for preserving the ancient Books of Entries of Decrees and Orders of the said Court; and that the Ground and Houses, to be purchased for the Purpose of rebuilding the said *Six Clerks Office*, if any such shall be deemed necessary, be conveyed to, and vested in, the said *Six Clerks*; to hold to them, and their Successors for ever, in Trust, for the Purposes in this Act mentioned; and that the Ground and Houses to be purchased for the Purpose of erecting the said Offices for the said Register and Accountant Generals, be conveyed to and vested in *Thomas Anquish* Esquire, Accountant General of the said Court, to hold to him and his Successors, for ever, and which are hereby vested in the said *Thomas Anquish*, and his Successors, in the said Office for the Time being, for ever, in Trust, to and for the Purposes in this Act mentioned.

5000l. out of the Cash belonging to Suitors in Chancery, now lying in the Bank, may be placed on Government Securities.

Out of Sums granted by former Acts, the Charge of rebuilding The Six Clerks Office, &c. is to be paid;

and the Premises to be vested in the said Six Clerks.

mentioned, concerning the Offices of the said Register and Accountant General, and for no other Use or Purpose whatsoever.

III. Provided always, That from such Time as the Lord High Chancellor of *Great Britain*, Lord Keeper, or Lords Commissioners for the Custody of the Great Seal for the Time being, shall deem the Purposes of this Act to be fully satisfied, and shall in Testimony thereof, by an Order of the said Court, declare the same, and direct the Accountant General of the said Court not to issue any Draft, and the Governor and Company of the Bank of *England* not to issue any further Sum or Sums of Money for any of the Purposes aforesaid, the Appropriation herein-before made of the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the twelfth Year of his late Majesty King *George* the Second, and of the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the fifth Year of his present Majesty, and also of the Interest of Securities to be purchased pursuant to this Act, shall, from thenceforth, cease and be at an End.

IV. And be it further enacted, That the Interest and annual Produce arising from the Securities to be purchased in pursuance of this Act shall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account to be raised in the Books kept there for the Suitors of the said Court, of Interest arising from Money placed out in pursuance of this Act; and that the Surplus Interest which shall arise from such Securities, after so much thereof as shall be necessary for the Purposes aforesaid shall have been raised thereout, or out of the several other Funds hereby provided for raising the same; and also the Interest which shall be produced from the Securities to be purchased with such Surplus Interest, as herein-after mentioned, shall or may, by any Order or Orders of the said Court of Chancery, to be made for that Purpose, from Time to Time, be placed out on Government or Parliamentary Securities; and the Interest or annual Produce arising from such Securities shall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and shall be placed to the Credit of an Account to be raised in the Books kept at the Bank for the Suitors of the said Court, of the Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of this Act.

V. Provided always, and be it further enacted and declared, That if, at any Time hereafter, the Whole, or any Part of the said Sum of fifty thousand Pounds, hereby directed to be placed out as aforesaid, 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 in 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.

After the Chancellor, &c. shall deem the Purposes of the Act satisfied,

the Appropriation mentioned shall cease.

Interest arising from Securities to be received by the Governor of the Bank.

If any Part of the Money, so placed out, shall be wanted, the Court may direct the same to be called in for the Use of the Suitors.

C A P. XLIV.

An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mobair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages.*

WHEREAS by 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 the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mobair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages;* certain Punishments, therein mentioned, are to be inflicted upon all Persons who shall reel false or short Yarn: And whereas it hath been found by Experience, that the Punishments directed to be inflicted by the said Act for reeling false or short Yarn are too severe, on which Account Offenders go frequently unpunished, and many honest industrious Persons are deterred from spinning; 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, so much of the said recited Act as subjects any Person or Persons to any Punishment whatsoever for reeling false or short Yarn, shall be, and the same is hereby repealed.

II. And, in order to prevent Persons reeling false or short Yarn for the future, be it further enacted, That, from and after the passing of this Act, if any Person or Persons shall reel false or short Yarn, and shall be thereof lawfully convicted by the Oath of the Owner of such Yarn; or in case such Owner is one of the People called *Quakers*, then upon the solemn Affirmation of such Owner, or of any other credible Witness or Witnesses, or by the Confession of the Person or Persons charged with such Offence, before any one or more Justice or Justices of the Peace, of the County, Riding, Division, City, Liberty, Town, or Place, where such Offence shall be committed, or where the Person or Persons so charged shall reside or inhabit (which Oath such Justice or Justices is and are hereby impowered and required to administer),

Preamble.
Act 22 Geo. 2.

repealed, concerning the reeling of short Yarn.

Penalties inflicted by this Act, for reeling short Yarn.

for the First Offence, not exceeding 20s. for the Second, 5l. and, for the Third, Imprisonment for one Month, and to be publicly whipped.

nister), shall, for the first Offence, forfeit and pay any Sum not exceeding twenty Shillings, nor less than five Shillings, and for the second Offence, any Sum not exceeding five Pounds, nor less than forty Shillings; and for the third, and every other Offence, it shall and may be lawful to and for such Justice or Justices of the Peace to commit the Person or Persons so convicted to the House of Correction, or other publick Prison of such County, Riding, Division, City, Liberty, Town, or Place, there to be kept to hard Labour for the Space of one Calendar Month, and also to order the Person or Persons so convicted to be once publickly whipped at the nearest Market Town to where the Offence was committed, and upon a Market Day; all which Penalties and Forfeitures shall go to the Party aggrieved.

III. And be it further enacted, That the Justice or Justices, before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be made out in the Manner and Form following; that is to say:

Form of Conviction.

BE it remembered, That on the Day of A. B. is convicted before me, or us, in the Year of our Lord of his Majesty's Justices of the Peace, for [Specifying the Offence, and the Time and Place when and where the same was committed, and also specifying that it was the first, second, or third, Offence against this Act, as the Case shall be.] Given under my Hand and Seal, or our Hands and Seals, the Day and Year aforesaid.

Conviction to be wrote on Parchment, and returned to the next General Quarter Session. Convictions may be delivered to Persons, on paying 1s. each Copy. Persons may appeal to the Quarter Sessions, entering into Recognizance.

Which Conviction the said Justice or Justices shall cause to be fairly wrote on Parchment, and returned to the next General Quarter Session of the Peace for the County, Riding, Division, City, Liberty, Town, or Place, where such Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept among the Records of such County, Riding, Division, City, Liberty, Town, or Place.

IV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Clerk of the Peace where any such Conviction shall be filed, as aforesaid, and he is hereby required, upon Application made to him by any Person or Persons for that Purpose, to cause a Copy or Copies of any Conviction or Convictions, filed by him under the Directions of this Act, to be forthwith delivered to such Person or Persons, upon Payment of one Shilling for every such Copy.

V. Provided nevertheless, That if any Person or Persons, who shall be convicted as aforesaid, shall be desirous of appealing to the next General or Quarter Sessions of the Peace to be holden for the County, Riding, City, or Place, wherein the Cause of Complaint shall arise, such Person may, at the Time of such Conviction, enter into a sufficient Recognizance conditioned to try such Appeal, abide the Order of, and pay such Costs as shall be adjudged by the Justices at such Sessions; and the said Justices, at such Sessions, shall and are hereby authorized and required to take Cognizance of such Appeal, and may affirm such Conviction, and award such Costs, as they the said Justices shall think proper: And in case the same are not paid, according to the Order of the said Justices, such Costs may be recovered by Distress and Sale of the Goods and Chattels of the Person who ought to pay the same, by Warrant under the Hand and Seal of any Justice of the Peace for the County, Riding, Division, City, Liberty, Town, or Place, where such Person shall be or reside; and if no Goods and Chattels belonging to such Person can be found, sufficient to pay the Costs, and the Charges of making such Distress, the said Justices may cause the Person to be committed to the common Gaol of such County, Riding, Division, City, Liberty, Town, or Place, there to remain, without Bail or Mainprize, for the Space of three Calendar Months; and the Determination of the said Sessions shall be final, binding, and conclusive, to all Intents and Purposes: And no Order made concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender against this Act, shall be quashed or vacated for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster.

If Costs be not paid, according to Order of the Justices, they may be levied by Distress, &c. and where there are no Goods, the Persons to be committed.

Proceedings not to be quashed for want of Form.

C A P. XLV.

An Act for the better regulating the Government of the Province of the Massachusetts Bay, in New England.

Preamble, reciting Letters Patent of 3 Gul. & Maria.

WHEREAS by Letters Patent under the Great Seal of England, made in the third Year of the Reign of their late Majesties King William and Queen Mary, for uniting, erecting, and incorporating, the several Colonies, Territories, and Tracts of Land therein mentioned, into one real Province, by the Name of Their Majesties Province of the Massachusetts Bay, in New England; whereby it was, amongst other Things, ordained and established, That the Governor of the said Province should, from thenceforth, be appointed and commissioned by their Majesties, their Heirs and Successors: It was, however, granted and ordained, That, from the Expiration of the Term for and during which the eight and twenty Persons named in the said Letters Patent were appointed to be the first Counsellors or Assistants to the Governor of the said Province for the Time being, the aforesaid Number of eight and twenty Counsellors or Assistants should yearly, once in every Year, for ever thereafter, be, by the General Court or Assembly, newly chosen: And whereas the said Method of electing such Counsellors or Assistants, to be vested with the several Powers, Authorities, and Privileges, therein mentioned, although conformable to the Practice theretofore used in such of the Colonies thereby united, in which the Appointment of the respective Governors had been vested in the General Courts or Assemblies of the said Colonies, hath, by repeated Experience, been found to be extremely ill adapted to the Plan of Government established in the Province of the Massachusetts Bay, by the said Letters Patent hereinbefore mentioned, and hath been so far from contributing to the Attainment of the good Ends and Pur-

poses thereby intended, and to the promoting of the internal Welfare, Peace, and good Government, of the said Province, or to the Maintenance of the just Subordination to, and Conformity with, the Laws of *Great Britain*, that the Manner of exercising the Powers, Authorities, and Privileges aforesaid, by the Persons so annually elected, hath, for some Time past, been such as had the most manifest Tendency to obstruct, and, in great Measure, defeat, the Execution of the Laws; to weaken the Attachment of his Majesty's well-disposed Subjects in the said Province to his Majesty's Government, and to encourage the ill-disposed among them to proceed even to Acts of direct Resistance to, and Defiance of, his Majesty's Authority: And it hath accordingly happened, that an open Resistance to the Execution of the Laws hath actually taken place in the Town of *Boston*, and the Neighbourhood thereof, within the said Province: And whereas it is, under these Circumstances, become absolutely necessary, in order to the Preservation of the Peace and good Order of the said Province, the Protection of his Majesty's well-disposed Subjects therein resident, the Continuance of the mutual Benefits arising from the Commerce and Correspondence between this Kingdom and the said Province, and the maintaining of the just Dependence of the said Province upon the Crown and Parliament of *Great Britain*, that the said Method of annually electing the Counsellors or Assistants of the said Province should no longer be suffered to continue, but that the Appointment of the said Counsellors or Assistants should henceforth be put upon the like Footing as is established in such other of his Majesty's Colonies or Plantations in *America*, the Governors whereof are appointed by his Majesty's Commission, under the Great Seal 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 first Day of *August*, one thousand seven hundred and seventy-four, so much of the Charter, granted by their Majesties King *William* and Queen *Mary* to the Inhabitants of the said Province of the *Massachusetts Bay*, in *New England*, and all and every Clause, Matter, and Thing, therein contained, which relates to the Time and Manner of electing the Assistants or Counsellors for the said Province, be revoked, and is hereby revoked and made void and of none Effect; and that the Offices of all Counsellors and Assistants, elected and appointed in pursuance thereof, shall from thenceforth cease and determine: And that, from and after the said first Day of *August*, one thousand seven hundred and seventy-four, the Council, or Court of Assistants of the said Province for the Time being, shall be composed of such of the Inhabitants or Proprietors of Lands within the same as shall be thereunto nominated and appointed by his Majesty, his Heirs and Successors, from Time to Time, by Warrant under his or their Signet or Sign Manual, and with the Advice of the Privy Council, agreeable to the Practice now used in respect to the Appointment of Counsellors in such of his Majesty's other Colonies in *America*, the Governors whereof are appointed by Commission under the Great Seal of *Great Britain*: Provided that the Number of the said Assistants or Counsellors shall not, at any one Time, exceed Thirty-six, nor be less than Twelve.

II. And it is hereby further enacted, That the said Assistants or Counsellors, so to be appointed as aforesaid, shall hold their Offices respectively, for and during the Pleasure of his Majesty, his Heirs or Successors; and shall have and enjoy all the Powers, Privileges, and Immunities, at present held, exercised, and enjoyed, by the Assistants or Counsellors of the said Province, constituted and elected, from Time to Time, under the said Charter (except as herein-after excepted); and shall also, upon their Admission into the said Council, and before they enter upon the Execution of their Offices respectively, take the Oaths, and make, repeat, and subscribe, the Declarations required, as well by the said Charter as by any Law or Laws of the said Province now in Force, to be taken by the Assistants or Counsellors who have been so elected and constituted as aforesaid.

III. And be it further enacted by the Authority aforesaid, That from and after the first Day of *July*, one thousand seven hundred and seventy-four, it shall and may be lawful for his Majesty's Governor for the Time being of the said Province, or, in his Absence, for the Lieutenant-governor, to nominate and appoint, under the Seal of the Province, from Time to Time, and also to remove, without the Consent of the Council, all Judges of the inferior Courts of Common Pleas, Commissioners of *Oyer and Terminer*, the Attorney General, Provofts, Marshals, Justices of the Peace, and other Officers to the Council or Courts of Justice belonging; and that all Judges of the inferior Courts of Common Pleas, Commissioners of *Oyer and Terminer*, the Attorney General, Provofts, Marshals, Justices, and other Officers so appointed by the Governor, or, in his Absence, by the Lieutenant-governor alone, shall and may have, hold, and exercise, their said Offices, Powers, and Authorities, as fully and completely, to all Intents and Purposes, as any Judges of the inferior Courts of Common Pleas, Commissioners of *Oyer and Terminer*, Attorney General, Provofts, Marshals, or other Officers, have or might have done heretofore under the said Letters Patent, in the third Year of the Reign of their late Majesties King *William* and Queen *Mary*; any Law, Statute, or Usage, to the contrary notwithstanding.

IV. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to annul or make void the Commission granted before the said first Day of *July*, one thousand seven hundred and seventy-four, to any Judges of the inferior Courts of Common Pleas, Commissioners of *Oyer and Terminer*, the Attorney General, Provofts, Marshals, Justices of the Peace, or other Officers; but that they may hold and exercise the same, as if this Act had never been made, until the same shall be determined by Death, Removal by the Governor, or other Avoidance, as the Case may happen.

V. And be it further enacted by the Authority aforesaid, That, from and after the said first Day of *July*, one thousand seven hundred and seventy-four, it shall and may be lawful for his Majesty's Governor, or, in his Absence, for the Lieutenant-governor for the Time being of the said Province, from Time to Time, to nominate and appoint the Sheriffs without the Consent of the Council, and to remove such Sheriffs with such Consent, and not otherwise.

After Aug. 31 1774, the said Letters Patent to be void.

Council how to be composed.

Powers of the said Counsellors.

The Governor to appoint and remove Judges, Commissioners of *Oyer and Terminer*, &c.

Nothing herein contained to annul the Commission granted before *July* 1774.

Governor to appoint Sheriffs without the Consent of Council.

VI. And

On a Vacancy of the Office of Chief Justice, &c. the Governor may appoint the Successors.

VI. And be it further enacted by the Authority aforesaid, That, upon every Vacancy of the Offices of Chief Justice and Judges of the Superior Court of the said Province, from and after the said first Day of July, one thousand seven hundred and seventy-four, the Governor for the Time being, or, in his Absence, the Lieutenant-governor, without the Consent of the Council, shall have full Power and Authority to nominate and appoint the Persons to succeed to the said Offices, who shall hold their Commissions during the Pleasure of his Majesty, his Heirs and Successors; and that neither the Chief Justice and Judges appointed before the said first Day of July, one thousand seven hundred and seventy-four, nor those who shall hereafter be appointed pursuant to this Act, shall be removed, unless by the Order of his Majesty, his Heirs or Successors, under his or their Sign Manual.

No Meeting to be called without the Consent of the Governor.

VII. And whereas, by several Acts of the General Court, which have been from Time to Time enacted and passed within the said Province, the Freeholders and Inhabitants of the several Townships, Districts, and Precincts, qualified, as is therein expressed, are authorized to assemble together, annually, or occasionally, upon Notice given, in such Manner as the said Acts direct, for the Choice of Select Men, Constables, and other Officers, and for the making and agreeing upon such necessary Rules, Orders, and Bye-laws, for the directing, managing, and ordering, the prudential Affairs of such Townships, Districts, and Precincts, and for other Purposes: And whereas a great Abuse has been made of the Power of calling such Meetings, and the Inhabitants have, contrary to the Design of their Institution, been misled to treat upon Matters of the most general Concern, and to pass many dangerous and unwarrantable Resolves: For Remedy whereof, be it enacted, That from and after the said first Day of August, one thousand seven hundred and seventy-four, no Meeting shall be called by the Select Men, or at the Request of any Number of Freeholders of any Township, District, or Precinct, without the Leave of the Governor, or, in his Absence, of the Lieutenant-governor, in Writing, expressing the special Business of the said Meeting, first had and obtained, except the annual Meeting in the Months of March or May, for the Choice of Select Men, Constables, and other Officers, or except for the Choice of Persons to fill up the Offices aforesaid, on the Death or Removal of any of the Persons first elected to such Offices, and also, except any Meeting for the Election of a Representative or Representatives in the General Court; and that no other Matter shall be treated of at such Meetings, except the Election of their aforesaid Officers or Representatives, nor at any other Meeting, except the Business expressed in the Leave given by the Governor, or, in his Absence, by the Lieutenant-governor.

Jurors to be summoned by the Sheriffs only.

VIII. And whereas the Method at present used in the Province of Massachusetts Bay, in America, of electing Persons to serve on Grand Juries, and other Juries, by the Freeholders and Inhabitants of the several Towns, affords Occasion for many evil Practices, and tends to pervert the free and impartial Administration of Justice: For Remedy whereof, be it further enacted by the Authority aforesaid, That, from and after the respective Times appointed for the holding of the General Sessions of the Peace in the several Counties within the said Province, next after the Month of September, one thousand seven hundred and seventy-four, the Jurors to serve at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and inferior Court of Common Pleas, in the several Counties within the said Province, shall not be elected, nominated, or appointed, by the Freeholders and Inhabitants of the several Towns within the said respective Counties, nor summoned or returned by the Constables of the said Towns; but that, from thenceforth, the Jurors to serve at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and inferior Court of Common Pleas, within the said Province, shall be summoned and returned by the Sheriffs of the respective Counties within the said Province; and all Writs of Venire Facias, or other Process or Warrants to be issued for the Return of Jurors to serve at the said Courts, shall be directed to the Sheriffs of the said Counties respectively, any Law, Custom, or Usage, to the contrary notwithstanding.

When a Sheriff shall be a Party, Writs for Trial to be executed by the Coroner.

IX. Provided always, and be it further enacted by the Authority aforesaid, That whenever the Sheriff of any County shall happen to be a Party, or interested or related to any Party or Person interested in any Prosecution or Suit depending in any of the said Courts; that then, in such Case, the Writ of Venire Facias, or other Process or Warrant for the Summoning and Return of a Jury, for the Trial of such Prosecution or Suit, shall be directed to, and executed by, the Coroner of such County; and in case such Coroner shall be also a Party, or interested in, or related to, any Party or Person interested in such Prosecution or Suit, then the Venire Facias, or other Process or Warrant, for the Summoning and Return of a Jury for the Trial of such Prosecution or Suit shall be directed to, and executed by, a proper and indifferent Person, to be appointed for that Purpose by the Court wherein such Prosecution or Suit shall be depending.

Constables to deliver in Lists to the Justices of the Names of Persons within the respective Towns;

X. And that all Sheriffs may be the better informed of Persons qualified to serve on Juries at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and inferior Court of Common Pleas, within the said Province, be it further enacted by the Authority aforesaid, That the Constables of the respective Towns, within the several Counties of the said Province, shall, at the General Sessions of the Peace to be holden for each County, next after the Month of September in every Year, upon the first Day of the said Sessions, return and deliver to the Justices of the Peace, in open Court, a true List, in Writing, of the Names and Places of Abode of all Persons within the respective Towns for which they serve, or the Districts thereof, qualified to serve upon Juries, with their Titles and Additions, between the Age of one and twenty Years and the Age of Seventy Years; which said Justices, or any Two of them, at the said Sessions in the respective Counties, shall cause to be delivered a Duplicate of the aforesaid Lists, by the Clerk of the Peace of every County, to the Sheriffs, or their Deputies, within Ten Days after such Sessions; and cause each of the said Lists to be fairly entered into a Book, by the Clerk of the Peace, to be by him provided, and kept for that Purpose amongst the Records of the said Court; and no Sheriff shall impanel or return any Person or Persons to serve

which are to be entered in Books by the Clerks.

serve upon any Grand Jury, or Petit Jury, whatsoever, in any of the said Courts that shall not be named or mentioned in such List: And, to prevent a Failure of Justice, through the Neglect of Constables to make such Returns of Persons qualified to serve on Juries, as in and by this Act is directed, the Clerks of the Peace of the said several Counties are hereby required and commanded, twenty Days at least next before the Month of *September*, yearly, and every Year, to issue forth Precepts or Warrants, under their respective Hands and Seals, to the respective Constables of the several Towns within the said respective Counties, requiring them, and every of them, to make such Return of Persons qualified to serve upon Juries as hereby respectively directed; and every Constable failing at any Time to make and deliver such Return to the Justices in open Court, as aforesaid, shall forfeit and incur the Penalty of five Pounds Sterling to his Majesty, and his Successors; to be recovered by Bill, Plaint, or Information, to be prosecuted in any of the Courts aforesaid; and, in order that the Constables may be the better enabled to make complete Lists of all Persons qualified to serve on Juries, the Constables of the several Towns shall have free Liberty, at all reasonable Times, upon Request by them made to any Officer or Officers, who shall have in his or their Custody any Book or Account of Rates or Taxes on the Freeholders or Inhabitants within such respective Towns, to inspect the same, and take from thence the Names of such Persons qualified to serve on Juries, dwelling within the respective Towns for which such Lists are to be given in and returned pursuant to this Act; and shall, in the Month of *September*, yearly, and every Year, upon Two or more *Sundays*, fix upon the Door of the Church, Chapel, and every other publick Place of religious Worship within their respective Precincts, a true and exact List of all such Persons intended to be returned to the said General Sessions of the Peace, as qualified to serve on Juries, pursuant to the Directions of this Act; and leave at the same Time a Duplicate of such List with the Town Clerk of the said Place, to be perused by the Freeholders and Inhabitants thereof, to the End that Notice may be given of Persons duly qualified who are omitted, or of Persons inserted by Mistake who ought to be omitted out of such Lists; and it shall and may be lawful to and for the Justices, at the General Sessions of the Peace to which the said Lists shall be so returned, upon due Proof made before them of any Person or Persons duly qualified to serve on Juries being omitted in such Lists, or of any Person or Persons being inserted therein who ought to have been omitted, to order his or their Name or Names to be inserted or struck out, as the Case may require: And in case any Constable shall wilfully omit, out of such List, any Person or Persons, whose Name or Names ought to be inserted, or shall wilfully insert any Person or Persons who ought to be omitted, every Constable so offending, shall, for every Person so omitted or inserted in such List, contrary to the true Intent and Meaning of this Act, be fined by the said Justices, in the said General Sessions of the Peace, in the Sum of forty Shillings Sterling.

Penalty of 5l. if Constables fail to deliver Lists.

XI. Provided always, and be it enacted by the Authority aforesaid, That in case Default shall at any Time hereafter be made, by any Constable or Constables, to return Lists of Persons qualified to serve on Juries within any of the said Towns to the said Court of General Sessions of the Peace; then, and in such Case, it shall and may be lawful for the Sheriff of the County, in which such Default shall be made, to summon and return to the several Courts aforesaid, or any of them, such and so many Persons dwelling in such Towns, or the Districts thereof, qualified to serve on Juries, as he shall think fit to serve on Juries at such respective Courts; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Penalty of 40s. if the Constables wilfully deliver in wrong Lists.

In Default of Lists by the Constable, Sheriff to summon Persons qualified.

XII. And be it further enacted by the Authority aforesaid, That every Summons of any Person to serve upon any of the Juries at the said Courts, or any of them, shall be made by the Sheriff, or other Person, ten Days at the least before the holding of every such Court; and in case any Jurors, so to be summoned, be absent from the usual Place of his Habitation at the Time of such Summons, Notice of such Summons shall be given, by leaving a Note, in Writing, under the Hand of such Sheriff, or Person, containing the Contents thereof, at the Dwelling-house of such Juror, with some Person inhabiting in the same.

Every Summons to be issued ten Days before the holding of the Court, &c.

XIII. Provided always, and be it further enacted by the Authority aforesaid, That in case a sufficient Number of Persons qualified to serve on Juries shall not appear at the said Courts, or any of them, to perform the Service of Grand or Petit Jurors; that then, and in such Case, it shall be lawful for the said Court to issue a Writ or Precept to the Sheriff, requiring him to summon a sufficient Number of other Persons qualified to serve on Juries, immediately to appear at such Court, to fill up and compleat the Number of Jurors to serve at such Court; and such Persons are hereby required to appear and serve as Jurors at the said Courts accordingly.

In case a sufficient Number of Jurors shall not attend, the Court to issue a Precept for such Jurors.

XIV. And be it further enacted by the Authority aforesaid, That no Person who shall serve as a Juror, at any of the said Courts, shall be liable to serve again as a Juror at the same Court, or any other of the Courts aforesaid, for the Space of three Years then next following, except upon Special Juries.

No Juror to serve twice in three Years.

XV. And, in order that Sheriffs may be informed of the Persons who have served as Jurors, it is hereby further enacted by the Authority aforesaid, That every Sheriff shall prepare and keep a Book, or Register, wherein the Names of all such Persons who have served as Jurors, with their Additions and Places of Abode, and the Times when, and the Courts in which they served, shall be alphabetically entered and registered; which Books or Register shall, from Time to Time, be delivered over to the succeeding Sheriff of the said County, within ten Days after he shall enter upon his Office; and every Juror, who shall attend and serve at any of the Courts aforesaid, may, at the Expiration of the Time of holding every such Court, upon Application to the Sheriff, or his Deputy, have a Certificate immediately, gratis, from the Sheriff, or his Deputy, testifying such his Attendance and Service; which said Certificate the said Sheriff, or his Deputy, is required to give to every such Juror.

How Sheriffs are to be informed of those who have served as Jurors.

XVI. And be it further enacted by the Authority aforesaid, That if, by reason of Challenges, or otherwise, there shall not be a sufficient Number of Jurors for the Trial of any Prosecution for any Misdemeanour, or any Action depending in any of the said Courts; then, and in such Case, the Jury shall be filled up *de Talibus Circumstantibus*, to be returned by the Sheriff, unless he be a Party, or interested or related

How a sufficient Number of Jurors is to be constituted.

lated to any Party or Person interested in such Prosecution or Action; and, in any of which Cases, to be returned by the Coroner, unless he be a Party, or interested or related to any Party or Person interested in such Prosecution or Action; and, in any of these Cases, to be returned by a proper and indifferent Person, to be appointed by the Court for that Purpose.

Penalty should Persons not appear to serve on Grand or Petit Juries.

XVII. And be it further enacted by the Authority aforesaid, That in case any Person summoned to serve upon the Grand or Petit Jury, at any of the Courts aforesaid, or upon the Jury in any Prosecution, Action, or Suit, depending in any of the said Courts, shall not appear and serve at the said Courts, according to the said Summons (not having any reasonable Excuse to be allowed by the Judges or Justices at such Court), he shall be fined by the Judges or Justices of such Court in any Sum not exceeding the Sum of ten Pounds, nor less than twenty Shillings Sterling.

Number of Jurors how to be ascertained.

XVIII. And be it further enacted by the Authority aforesaid, That every Sheriff, or other Officer, to whom the *Venire Facias*, or other Process or Warrant, for the Trial of Causes, or summoning of Juries, shall be directed, shall, upon his Return of every such Writ, or other Process or Warrant (unless in Cases where a Special Jury shall be struck by Order or Rule of Court, pursuant to this Act), annex a Pannel to the said Writ, or Process, or Warrant, containing the Christian and Surnames, Additions, and Places of Abode, of a competent Number of Jurors, named in such Lists, which Number of Jurors shall not be less than twenty-four, nor more than forty-eight, without Direction of the Judges or Justices of such Court of Session, or one of them, who are hereby respectively impowered and required, if he or they see Cause, by Order, under his or their respective Hand or Hands, to direct a greater Number; and then such Number as shall be so directed shall be the Number to be returned to serve on such Jury.

Names of the Jury how to be drawn.

XIX. And be it further enacted by the Authority aforesaid, That for the Trials of all Actions or Suits depending in any of the said Courts, the Name of each and every Person who shall be summoned and returned as aforesaid, with his Addition, and the Place of his Abode, shall be written in several and distinct Pieces of Parchment, or Paper, being all as near as may be of equal Size and Bigness, and shall be delivered unto the Officer to be appointed by the Court for that Purpose, by the Sheriff, Under Sheriff, or some Agent of his; and shall, by Direction and Care of such Officer, be rolled up all as near as may be, in the same Manner, and put together in a Box or Glass, to be provided for that Purpose; and when any Cause shall be brought on to be tried, some indifferent Person, by Direction of the Court, may and shall, in open Court, draw out twelve of the said Parchments or Papers, one after another; and if any of the Persons, whose Names shall be so drawn, shall not appear, or shall be challenged, and such Challenge allowed, then such Person shall proceed to draw other Parchments or Papers from the said Box, till twelve indifferent Persons shall be drawn; which twelve indifferent Persons being sworn, shall be the Jury to try the said Cause: And the Names of the Persons so drawn and sworn shall be kept apart by themselves in some other Box or Glass, to be kept for that Purpose, till such Jury shall have given in their Verdict, and the same is recorded, or until such Jury shall, by Consent of the Parties, or Leave of the Court, be discharged; and then the same Names shall be rolled up again, and returned to the former Box or Glass, there to be kept, with the other Names remaining at that Time undrawn, and so *toties quoties*, as long as any Cause remains then to be tried.

When the Superior Court of Assize and Common Pleas may appoint a Jury.

XX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Superior Court of Assize, and Court of Common Pleas, upon Motion made on Behalf of his Majesty, his Heirs or Successors, or on the Motion of any Prosecutor or Defendant, in any Indictment or Information for any Misdemeanor depending, or to be brought or prosecuted in the said Court, or on the Motion of any Plaintiff or Plaintiffs, Defendant or Defendants, in any Action, Cause, or Suit whatsoever, depending, or to be brought and carried on in the said Court, and the said Court is hereby authorized and required, upon Motion as aforesaid, in any of the Cases before mentioned, to order and appoint a Jury to be struck for the Trial of any Issue joined in any of the said Cases, and triable by a Jury of twelve Men, by such Officer of the said Court as the Court shall appoint; and for that Purpose the Sheriff, or his Deputy, shall attend such Officer with the Duplicate of the Lists of Persons qualified to serve on Juries; and such Officer shall thereupon take down, in Writing, from the said Duplicate, the Names of forty-eight Persons qualified to serve on Juries, with their Additions, and Places of Abode, a Copy whereof shall forthwith be delivered to the Prosecutors or Plaintiffs, their Attornies or Agents, and another Copy thereof to the Defendants, their Attornies or Agents, in such Prosecutions and Causes; and the said Officer of the Court aforesaid shall, at a Time to be fixed by him for that Purpose, strike out the Names of twelve of the said Persons, at the Nomination of the Prosecutors or Plaintiffs, their Attornies or Agents, and also the Names of twelve others of the said Persons, at the Nomination of the said Defendants in such Prosecutions and Suits, and the twenty-four remaining Persons shall be struck and summoned, and returned to the said Court as Jurors, for the Trial of such Issues.

Proviso.

XXI. Provided always, That in case the Prosecutors or Plaintiffs, or Defendants, their Attornies or Agents, shall neglect or refuse to attend the Officer at the Time fixed for striking the Names of twenty-four Persons as aforesaid, or nominate the Persons to be struck out; then, and in such Case, the said Officer shall, and he is hereby required to strike out the Names of such Number of the said Persons as such Prosecutors or Plaintiffs, or Defendants, might have nominated to be struck out.

Persons applying for Special Juries to defray Fees and Expences.

XXII. And be it further enacted, That the Person or Party who shall apply for such Special Jury as aforesaid, shall not only bear and pay the Fees for striking such Jury, but shall also pay and discharge all the Expences occasioned by the Trial of the Cause by such Special Jury, and shall not have any further or other Allowance for the same, upon Taxation of Costs, than such Person or Party would be intitled unto in case the Cause had been tried by a common Jury, unless the Judge, before whom the Cause is tried, shall, immediately after the Trial, certify, in open Court, under his Hand, upon the Back of the Record, that the same was a Cause proper to be tried by a Special Jury.

XXIII. And

XXIII. And be it further enacted by the Authority aforesaid, That in all Actions brought in any of the said Courts, where it shall appear to the Court in which such Actions are depending, that it will be proper and necessary that the Jurors who are to try the Issues in any such Actions, should have the View of the Messuages, Lands, or Place in question, in order to their better understanding the Evidence that will be given upon the Trial of such Issues; in every such Case the respective Courts in which such Actions shall be depending may order the Jury to the Place in question, who then and there shall have the Matters in question shewn them by two Persons to be appointed by the Court; and the special Cofts of all such Views as allowed by the Court, shall, before the Trial, be paid by the Party who moved for the View (the adverse Party not consenting thereto); and shall, at the Taxation of the Bill of Cofts, have the same allowed him, upon his recovering Judgment in such Trial; and upon all Views with the Consent of Parties, ordered by the Court, the Cofts thereof, as allowed by the Court, shall, before Trial, be equally paid by the said Parties; and in the Taxation of the Bill of Cofts, the Party recovering Judgment shall have the Sum by him paid allowed to him; any Law, Usage, or Custom to the contrary notwithstanding.

Costs how to be defrayed in Actions brought.

XXIV. And be it further enacted by the Authority aforesaid, That if any Action shall be brought against any Sheriff, for what he shall do in Execution, or by virtue of this Act, he may plead the General Issue, and give the Special Matter in Evidence; and if a Verdict shall be found for him, he shall recover Treble Cofts.

Sheriffs may plead the General Issue.

C A P. XLVI.

An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to pay, out of the Revenue of the Crown, certain Rewards for apprehending Highwaymen, and other Offenders in the County Palatine of *Durham*.

WHEREAS by several Acts, made in the fourth Year of King *William* and Queen *Mary*, and in the sixth and seventh Years of King *William*, and in the fifth Year of Queen *Anne*, and in the third Year of King *George* the First, certain Rewards were directed to be paid upon the Convictions of Highwaymen, Clippers, Coiners, or Housebreakers within *England* and *Wales*, in the Manner by those Acts directed: And whereas those Acts do not extend to the County Palatine of *Durham*, and the Judges who have gone the Northern Circuit, have, for that Reason, always refused to give Certificates of the Convictions of such Offenders, in the said County Palatine, without which Certificates the Apprehenders and Convictors of such Offenders, are not by the said Acts intitled to such Rewards: And whereas it is but just and reasonable that the Inhabitants of the said County Palatine, who contribute equally with others to the Support of Government in the Payment of publick Taxes, and other Duties, should, equally with the Inhabitants of other Counties and Cities, enjoy that additional Security to their Lives and Property which arises from a proper Encouragement being given to the Apprehenders and Convictors of the Persons guilty of the Offences in the said Acts respectively mentioned: And whereas, for want of such Encouragement, the said County Palatine has already, in many Instances, and will, in many other, become a Place of Resort and Refuge for the most desperate and determined Villains: 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 and every Person and Persons who shall apprehend and take any Person or Persons guilty of any of the Offences in the said recited Acts respectively mentioned within the said County Palatine of *Durham*, and prosecute him, her, or them, so apprehended and taken, until he, she, or they, shall be convicted of such Offence or Offences, shall be intitled to have and receive, and shall have and receive, from the Sheriff of the said County Palatine of *Durham*, within one Month after such Conviction, the same Reward or Rewards as is or are made payable by the said recited Acts to the Person or Persons who shall apprehend, take, and prosecute, such Offender or Offenders in any other County within *England* or *Wales*, he or they tendering a Certificate to the Sheriff of the said County Palatine of *Durham*, under the Hand or Hands of the Judges or Justices before whom such Offender or Offenders shall be convicted, which Certificate such Judges or Justices are hereby authorized and required to grant, certifying the Conviction of such Offender or Offenders, and in what Partish the Offence or Offences was or were committed; and also that such Offender or Offenders was or were apprehended and taken by the Person or Persons claiming such Reward or Rewards.

Preamble. Acts 4 Gul. & Mariae, 6 & 7 Gul. 5 Anne, and 3 Geo. I.

Persons apprehending Offenders, guilty of the Offences in the Acts above mentioned, within the County Palatine of *Durham*, to receive the Rewards made payable by the said Acts.

II. And be it further enacted, That in case any Dispute shall happen to arise between the Persons who shall so have apprehended and taken any such Offender or Offenders touching their Right and Title to any such Reward or Rewards, then the said Judges or Justices so respectively certifying, as aforesaid, shall, in and by their said Certificate, direct and appoint such Reward or Rewards to be paid to and amongst the Parties claiming the same, in such Share and Proportions as to the said Judges or Justices shall seem just and reasonable.

Disputes arising between Parties apprehending Offenders, to be determined by the Judges.

III. And be it further enacted, That in case it shall happen that any such Sheriff of the said County Palatine of *Durham* shall die, or be removed before the Expiration of one Month after such Conviction and Demand made of such Reward or Rewards (the same not having been paid as aforesaid), then the next succeeding Sheriff of the said County Palatine of *Durham* shall pay the same within one Month after such Certificate shall be brought, and Demand of Payment made, as aforesaid; and if Default of Payment of such Sum or Sums of Money shall happen to be made by any such Sheriff of the said County Palatine of *Durham*, such Sheriff so making Default, shall forfeit and pay to the Person or Persons to whom

In case any Sheriff shall die before a Month after Conviction on his Successor to pay the Reward;

and in case of Default, to forfeit double the Sum, with Treble Coſts of Suit.

Sheriff to be reimbursed by the Commiſſioners of the Treafury.

Expences of the Act how to be paid.

Publick Act.

whom ſuch Money is due, as aforeſaid, double the Sum or Sums of Money he ought to have paid; to be recovered by him or them, or his or their Executors or Adminiſtrators, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein but one Imparlance, and no Eſſoin, Protection, or Wager of Law, ſhall be allowed; together with Treble Coſts of Suit by him or them expended in the Recovery of the ſame.

IV. And be it further enacted, That the Sheriff of the ſaid County Palatine of *Durham* who ſhall have paid any ſuch Reward or Rewards in purſuance of this Act, ſhall and may immediately apply for Repayment of the ſame to the Commiſſioners for executing the Office of Treafurer of his Majesty's Exchequer, or the Lord High Treafurer for the Time being; and the ſaid Commiſſioners for executing the Office of Treafurer of his Majesty's Exchequer, or the Lord High Treafurer for the Time being, are and is hereby authorized and required, upon inſpecting a due Certificate of the Conviction of ſuch Offender or Offenders within the ſaid County Palatine of *Durham*, for which ſuch Reward or Rewards ſhall have been ordered to be paid, as aforeſaid, together with the Receipts or Acquittances of the Parties intitled to receive the ſame, forthwith to repay to the Sheriff of the ſaid County Palatine of *Durham*, out of the Revenue of the Crown, without Fee or Reward whatſoever, all ſuch Monies ſo diſbursed and paid, as aforeſaid, by ſuch Sheriff, other than and except the Double of the Sum or Sums of Money, and Treble Coſts of Suit, to which ſuch Sheriff will be liable in Default of Payment of the Reward or Rewards within the Time before limited for ſuch Payment.

V. And be it further enacted, That all the Charges and Expences of obtaining this Act ſhall be paid by the Treafurer of the ſaid County Palatine of *Durham*, out of the firſt Monies that ſhall come into his Hands from the Rates of the ſaid County; and the Sum ſo paid by the Treafurer of the ſaid County, in purſuance of this Act, ſhall be allowed to the ſaid Treafurer by the Juſtices of the ſaid County before whom the Accounts of ſuch Treafurer ſhall be paſſed.

VI. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

C A P. XLVII.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors. *Further Time given for theſe Purpoſes, to 25th December, 1775.*

C A P. XLVIII.

An Act for regulating Inſurances upon Lives, and for prohibiting all ſuch Inſurances, except in Caſes where the Perſons inſuring ſhall have an Intereſt in the Life or Death of the Perſons inſured.

Preamble.

WHEREAS it hath been found by Experience, that the making Inſurances on Lives, or other Events, wherein the Aſſured ſhall have no Intereſt, hath introduced a miſchievous Kind of Gaming: For Remedy whereof, be it enacted by the King's moſt Excellent Majesty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, no Inſurance ſhall be made by any Perſon or Perſons, Bodies Politick or Corporate, on the Life or Lives of any Perſon or Perſons, or on any other Event or Events whatſoever, wherein the Perſon or Perſons for whoſe Uſe, Benefit, or on whoſe Account ſuch Policy or Policies ſhall be made, ſhall have no Intereſt, or by way of Gaming or Wagering; and that every Aſſurance made, contrary to the true Intent and Meaning hereof, ſhall be null and void, to all Intents and Purpoſes whatſoever.

No Inſurance to be made on the Lives of Perſons having no Intereſt, &c.

No Policies on Lives without inſerting the Perſons Names, &c.

How much may be recovered where the Inſured hath

II. And be it further enacted, That it ſhall not be lawful to make any Policy or Policies on the Life or Lives of any Perſon or Perſons, or other Event or Events, without inſerting in ſuch Policy or Policies the Perſon or Perſons Name or Names intereſted therein, or for whoſe Uſe, Benefit, or on whoſe Account, ſuch Policy is ſo made or underwrote.

III. And be it further enacted, That in all Caſes where the Inſured hath Intereſt in ſuch Life or Lives, Event or Events, no greater Sum ſhall be recovered or received from the Inſurer or Inſurers than the Amount or Value of the Intereſt of the Inſured in ſuch Life or Lives, or other Event or Events.

Not to extend to Inſurances on Ships, Goods, &c.

IV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to Inſurances *bona fide* made by any Perſon or Perſons, on Ships, Goods, or Merchandiſes; but every ſuch Inſurance ſhall be as valid and effectual in the Law, as if this Act had not been made.

C A P. XLIX.

An Act for regulating Madhouses.

‘ WHEREAS many great and dangerous Abuses frequently arise from the present State of Houses kept for the Reception of Lunaticks, for want of Regulations with respect to the Persons keeping such Houses, the Admission of Patients into them, and the Visitation by proper Persons of the said Houses and Patients: And whereas the Law, as it now stands, is insufficient for preventing or discovering such Abuses;’ 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 twentieth Day of November, one thousand seven hundred and seventy-four, if any Person or Persons, in that Part of Great Britain called England, the Dominion of Wales, or Town of Berwick upon Tweed, shall, upon any Pretence whatsoever, conceal, harbour, entertain, or confine, in any House or Place, kept for the Reception of Lunaticks, more than one Lunatick, at any one Time, without having such Licence for that Purpose, as is herein-after directed (except such Lunaticks as are committed by the Lord High Chancellor of Great Britain, or Lord Keeper, or Commissioners for the Custody of the Great Seal for the Time being), every such Person shall, for every such Offence, forfeit and pay the Sum of five hundred Pounds.

‘ II. And, in order that proper Persons may be appointed for visiting such Houses as shall be licensed and kept for the Reception of Lunaticks, within the Cities of London and Westminster, and within seven Miles of the same, and within the County of Middlesex,’ be it further enacted by the Authority aforesaid, That the President and Fellows of the Royal College of Physicians in London for the Time being, at a General Meeting of the said College, to be held upon the last Day of September, or if that Day falls upon Sunday, then upon the first Day of October, in every Year, shall elect five Fellows of the said College for granting such Licences as aforesaid, within the said Cities of London and Westminster, and within seven Miles of the same, and within the said County of Middlesex, according to the Directions of this Act; and the said five Fellows, so elected, shall be, and are hereby declared to be, Commissioners for granting such Licences within the Limits aforesaid, for the Year then next ensuing; provided that two, at least, of the said Fellows, to be so elected, shall be Persons who have not acted as Commissioners for the preceding Year; and that no Person whatsoever shall be capable of being elected, or of acting as a Commissioner, for more than three Years successively.

‘ III. And be it further enacted, That in case, at any Time of Election, there shall not be found a sufficient Number of Fellows qualified or willing to act as Commissioners, the said President and Fellows are hereby required, upon every such Deficiency, to elect one or more from among the Licentiatees to supply the same.

‘ IV. And be it further enacted by the Authority aforesaid, That as often as any of the Commissioners, to be elected as aforesaid, shall die, or refuse to act, the said President is hereby required to call a Meeting of the said Fellows, within fourteen Days next after such Death or Refusal shall be known to the said President, in order to elect a Commissioner in the Room of every Commissioner who shall so die, or refuse to act; and every Commissioner, so to be elected, shall be, and is hereby vested with the same Power and Authority, in all Respects whatsoever, as the Commissioner in whose Place he shall be chosen was vested with.

‘ V. And be it further enacted, That every Person who shall be elected a Commissioner to act within the Cities of London and Westminster, and within seven Miles of the same, and within the County of Middlesex, as aforesaid, shall, within ten Days after such Election, take the following Oath; (that is to say)

‘ I A. B. do swear, That I will faithfully and impartially execute all the Trusts committed unto me, by virtue of an Act of Parliament, made in the fourteenth Year of the Reign of King George the Third, intituled, An Act for regulating Madhouses; and that I will not, directly or indirectly, give Notice, or cause Notice to be given to the Keeper, or Person having the Care of any House or Place licensed for the Reception of Lunaticks, of the Time of Visitation of such House or Place.

‘ So help me GOD.’

Which Oath it shall and may be lawful for the President of the College of Physicians for the Time being to administer to every such Commissioner, so to be elected as aforesaid, upon the Day he shall be so elected, or within ten Days afterwards: And in case any Person who shall be elected a Commissioner as aforesaid, and who shall be summoned by the President of the said College to attend the said President to take the said Oath, at such Time as shall be mentioned in such Summons, shall refuse or neglect to attend, or attending, shall refuse to take the said Oath, he shall forfeit and pay the Sum of five Pounds, to be applied to the Use of the said College.

‘ VI. And be it further enacted by the Authority aforesaid, That the said Commissioners, so to be elected as aforesaid, or any three or more of them, shall meet in the Hall, or some other convenient Place in the said College, as often as they shall think fit, so as such Meetings do not interfere with the Meetings of the Board of Censors, nor with any other General Meeting of the College of Physicians; and that at all Meetings of the said Commissioners to be holden for the Purposes of this Act, the Commissioner who is of the longest standing in the College shall be the Chairman.

‘ VII. And be it further enacted, That the Treasurer of the said College for the Time being shall be the Treasurer for the Purposes of this Act; and that the said Commissioners, or any three or more of them, shall,

Preamble.

After Nov. 20, 1774, if any Person conceal more than one Lunatick without Licence, he shall forfeit scil.

Royal College of Physicians in London, on the last Day of Sept. yearly, may elect five Fellows for granting Licences, &c.

who are declared to be Commissioners for that Purpose.

If a sufficient Number of Fellows be not qualified, &c. a Licentiate may act, &c.

In case of Death, &c. President to call a Meeting for the Election of another Commissioner.

Every Commissioner to take the following Oath.

Commissioners not attending, or refusing to take the Oath, forfeit s1.

Commissioners Meetings to be in the College Hall, &c.

Treasurer of the College to be Treasurer for the

Purposes of this Act. Secretary to be appointed. who shall take the Oath.

shall, at some Meeting, to be holden within fourteen Days next after they shall be elected as aforesaid, chuse and appoint a proper Person to be their Secretary for the Year then ensuing; and such Secretary shall be paid such Salary or Gratuity, for his Trouble and Attendance in the Execution of his Office, by the said Treasurer, as the said Commissioners, or any three or more of them, shall order and direct; and every such Secretary shall, at the next Meeting of the said Commissioners after he shall be so appointed, take the following Oath:

I A. B. do swear, That I will faithfully execute all such Trusts as shall be committed to my Charge, as Secretary to the Commissioners for executing an Act of Parliament, made in the fourteenth Year of the Reign of King George the Third, intituled, An Act for regulating Madhouses; and that I will keep secret all such Matters as shall come to my Knowledge, in the Execution of my Office, (except when required to divulge the same by legal Authority.)

So help me GOD.

Time of the Commissioners annual Meeting for granting Licences.

VIII. And be it further enacted, That the said Commissioners, or any three or more of them, shall meet annually on the third Wednesday in the Month of October, or within ten Days afterwards, in order to grant Licences to Persons for keeping Houses for the Reception of Lunatics for one Year, from the twentieth Day of November then next ensuing, within the said Cities of London and Westminster, and within seven Miles of the same, and within the said County of Middlesex; but Notice of the Place, and of the Day and Hour of every Meeting for granting such Licences, shall always be published three several Times in the London Gazette, before the Day of Meeting for granting any such Licences (which Licences they are hereby required to grant to all Persons who shall desire the same); and all Licences to be granted by the said Commissioners shall be duly stamped with a five Shillings Stamp, and shall be under the Hands and Seals of three or more of the said Commissioners, for each of which Licences there shall be paid to the said Secretary, by the Person applying to take out the same, the Sums following; (that is to say) For each and every House wherein there shall be kept any Number of Lunatics, not exceeding ten, the Sum of ten Pounds; and for each and every House wherein there shall be kept above ten, the Sum of fifteen Pounds, and no more, over and above what shall have been paid for the said Stamp; which Money shall be paid over by the said Secretary to the said Treasurer; and the further Sum of six Shillings and Eight-pence, and no more, shall be paid on every such Licence to the said Secretary for his Fee.

Licences to be stamped with a 5s. Stamp.

Sums to be paid by Persons taking out Licences.

No Licence to authorise any Person to keep more than one House; and to

IX. Provided always, That no one Licence shall authorise any Person or Persons to keep more Houses than one for the Reception of Lunatics; nor shall any Licence, to be granted by virtue of this Act, continue in Force for any longer Time than for one Year.

No Commissioner, while in Office, to keep any House for Lunatics, &c. on Penalty of 50l. President to summon Commissioners Attendance for the First Meeting.

X. And be it further enacted by the Authority aforesaid, That no Commissioner, to be appointed as aforesaid, shall, directly or indirectly, during the Time he shall be a Commissioner, be interested in keeping any House for the Reception of Lunatics, upon Pain of forfeiting, for such Offence, the Sum of fifty Pounds.

Two Commissioners may call a Meeting.

XI. And be it further enacted, That the President of the said College of Physicians for the Time being shall, and is hereby required to cause Summons to be sent to the said several Commissioners, requiring them to attend at the first Meeting after they shall be appointed Commissioners, as aforesaid; all which Summons shall be sent by the Beadle, or such other Person belonging to the said College, as the said President shall think proper; and shall be left at the respective Houses, or usual Places of Abode, of each Commissioner.

Chairman to have the casting Vote. Commissioners to visit and inspect licensed Houses.

XII. Provided nevertheless, That in case any two Commissioners shall, at any Time or Times, think proper to call a Meeting of the said Commissioners, such two Commissioners may themselves cause the like Notice to be given, and to be sent, in Manner aforesaid, to the other Commissioners, requiring their Attendance at such Time and Place as shall be expressed in such Notice.

At such Visitation the Commissioners are to make Minutes of the State of Houses.

XIII. Provided always, That at all Meetings of the said Commissioners in the Execution of this Act, in case of an Equality of Votes, the Chairman shall have the casting Vote.

XIV. And be it further enacted, That the said Commissioners, or any three or more of them, either by themselves or with their Secretary, as they shall think fit, shall, and they are hereby required, once at least in every Year, and whenever required by the Lord High Chancellor, or Lord Keeper, or Commissioners for the Custody of the Great Seal, or by the Lord Chief Justice of the Court of King's Bench, or by the Lord Chief Justice of the Court of Common Pleas for the Time being, to visit and inspect all such Houses as shall have been licensed by them, as aforesaid, between the Hours of Eight and Five in the Day-time; and may, in like Manner, at any other Time or Times, within the Hours aforesaid, visit and inspect all such Houses as often as they, or any three or more of them, shall think necessary, and shall have, at all such Times, Liberty and Power to continue in such House, and to examine the Persons confined as Lunatics therein, for such Time as they shall think proper.

XV. And be it further enacted, That the said Commissioners, or their Secretary, shall, at every such Visitation, make Minutes, in Writing, of the State and Condition of all such Houses which they shall so visit, as to the Care of the Patients therein, and all such other Particulars as they shall think deserve their Notice, together with their Observations thereupon; all which Minutes shall, within one Week next after such Visitation, be by the said Secretary entered, by way of Report, in a Register to be kept by him in the said College of Physicians for that Purpose, and the same shall be read to, and signed by, the said Commissioners, or any three or more of them, at their next Meeting; but no Minute which tends to impeach the Character of any House shall be so entered, unless such Minute shall have been previously signed by three or more of the said Commissioners, who shall have been present at such Visitation; and in case the Commissioners,

missioners, upon their Visitation, shall discover any Thing that, in their Opinion, shall deserve Censure or Animadversion, they shall, in that Case, report the same; and such Part of their Report, and no more, shall be hung up in the Censors' Room of the College, to be perused and inspected by any Person who shall apply for that Purpose.

XVI. And be it further enacted, That in case the Keeper of any House or Place for the Reception of Lunaticks, within the Cities of *London* or *Westminster*, or within seven Miles Distance thereof, or within the County of *Middlesex*, shall refuse all or any of the said Commissioners, at the Time of their Visitation, Admittance into such House or Place as aforesaid, with or without their Secretary, the Master or Keeper of such House or Place shall, for such Offence, forfeit his Licence.

XVII. And be it further enacted, That the said Commissioners, or any three or more of them, shall, from Time to Time, cause an exact Account to be kept of all their Proceedings; and all such Accounts shall be entered in the same Register as the Minutes taken at their Visitations are directed to be entered as aforesaid; and the said Register shall be lodged in the College of Physicians in a strong Chest or Box, which said Chest or Box shall be under the Care of the Beadle or House-keeper belonging to the said College, and shall be carefully locked up, from Time to Time, by the Secretary to the said Commissioners, and the Key thereof kept by such Secretary; which said Register shall be deemed to belong to the said Commissioners, and the Key of the said Chest or Box shall be delivered over to every succeeding Secretary, whenever the former Secretary shall go out of Office, and be kept by such succeeding Secretary in Manner aforesaid, for the Use of the said Commissioners.

XVIII. Provided always, That the President of the said College shall have Liberty to inspect the said Register, from Time to Time, as often as he shall think proper, provided such Inspection be made at the College, and in the Presence of the Secretary to the said Commissioners.

XIX. And be it further enacted, That if any Person shall apply to one of the Commissioners, in order to be informed whether any particular Person or Persons have been confined in any of the said licensed Houses, and the said Commissioners shall think it reasonable to permit such Inquiry to be made, and shall sign an Order, directed to the Secretary for that Purpose; he, the said Secretary, is hereby required, upon the Receipt of such Order, to make Search upon his Papers: And if it shall appear, upon such Search, that the Person or Persons so enquired after have been confined in any of the said Houses, the said Secretary shall immediately acquaint the Persons so applying with the Name of the Keeper in whose House, and also the Names of those by whose Direction and Advice, such Person or Persons have been so confined.

XX. And be it further enacted, That the said Treasurer shall, and is hereby required to pay to each of the said Commissioners for every Time they shall, in Obedience to this Act, or any Requisition therein contained, visit and inspect any such licensed House or Place, as aforesaid, within the Limits aforesaid, the Sum of one Guinea; and shall also pay and discharge all such reasonable Expences of the said Commissioners as they shall, from Time to Time, incur in the Execution of this Act; and the said Treasurer is hereby required, from Time to Time, to keep an exact and true Account of all Monies by him received and disbursed in relation to this Act, and shall enter such Account in a Book to be kept for that Purpose; which Book shall be lodged in the Box or Chest where the Register of the Proceedings of the said Commissioners is directed to be kept, as aforesaid; which Accounts shall be produced to the President of the said College, when required by the said President and Elects, to be examined and settled by them; and if, upon such Examination, the said Accounts shall appear to be just and reasonable, the same shall be allowed and signed by the said President, and at least four of the Elects, and shall be by the said President reported, together with the other Accounts, at the next General Meeting of the said College; and the said Account, being so allowed, signed, and reported, shall be a full Discharge to the said Treasurer for so much Money as shall in such Account appear to have been disbursed by him, on account of the Execution of this Act.

XXI. And, in order that the said Commissioners may know when any Patient is received into any such licensed House or Place, as aforesaid, be it further enacted by the Authority aforesaid, That the Keeper of every such licensed House or Place within the said Cities of *London* and *Westminster*, and within seven Miles of the same, and within the said County of *Middlesex*, is hereby required, within the Space of three Days after any Patient shall be received into any such licensed House or Place (except such pauper Lunaticks as shall happen to be sent there by Parish Officers), to cause Notice thereof to be given to the Secretary to the said Commissioners, which Notice shall contain the Name of every such Person received as a Lunatick into such House or Place, the Name or Names, and Place or Places of Abode, of the Person or Persons by whose Direction such Lunatick was sent to such House or Place, and also the Name and Place of Abode of the Physician, Surgeon, or Apothecary, by whose Advice such Direction was given; all which Notices shall be sent sealed up, directed To the Secretary to the Commissioners for licensing Houses for the Reception of Lunaticks, to be left with the Beadle of the College of Physicians in *London*; all which Notices the said Beadle is hereby directed to receive, and to deliver to the said Secretary, within two Days after the same shall come to his Hands; and the Secretary is hereby required to file and preserve all such Notices, and also to enter, or cause a Copy or Extract thereof to be entered, in the Register, within two Days after the Receipt of such Notices; and every Keeper of any such licensed House or Place, who shall admit, harbour, entertain, or confine, any Person as a Lunatick, without having an Order, in Writing, under the Hand and Seal of some Physician, Surgeon, or Apothecary, that such Person is proper to be received into such House or Place as a Lunatick, or shall receive any Lunatick into any such House or Place, having such Order, and shall not give Notice thereof to the Secretary of the said Commissioners, within the Time, and in the Manner aforesaid, shall forfeit and pay the Sum of one hundred Pounds.

XXII. And, in order that such Houses or Places for the Reception of Lunaticks as are not situated within the Limits aforesaid may be put under some Regulation, be it further enacted, That no House, which is not within the said City of *London*, or within seven Miles of the same, or within the said County of *Middlesex*, shall be kept for the Reception of more than one Lunatick, unless such House or Place shall be licensed by the

Keepers within *London* or *Westminster*, &c. refusing Admittance, to forfeit their Licence.

Commissioners to keep an exact Account of their Proceedings.

President of the College to inspect the Register in Presence of the Secretary. On Application to the Commissioners, for Information concerning confined Persons, the Secretary is to make Search.

One Guinea to be paid, on each Inspection, to each Commissioner; and exact Accounts to be kept by the Treasurer.

Notice to be given, within three Days after Admission of Patients, to the Secretary by the Keeper.

Notice how to be directed.

Keepers admitting Lunaticks without an Order, forfeit 100l.

No more than one Lunatick to be kept in any House, except in such as are licensed.

the Justices of the Peace, at some Quarter Sessions of the Peace to be holden for the County or Place wherein such House or Place shall be situated.

Justices to grant Licences at General Quarter Sessions; and receive for every House keeping not exceeding ten Lunaticks, 10l. and for above that Number 15l.

XXIII. And be it further enacted, That the Justices of the Peace, at any General Quarter Sessions of the Peace, to be holden for any such County or Place, are hereby authorized and required to grant Licences to such Person and Persons as shall apply for that Purpose, such Person or Persons paying for each Licence the Sums following; (that is to say) for each and every House, wherein there shall be kept any Number of Lunaticks, not exceeding ten, the Sum of ten Pounds, and no more; and for each and every House, wherein there shall be kept above the Number of ten Lunaticks, the Sum of fifteen Pounds, and no more; and that no one Licence shall authorize any Person or Persons to keep more Houses than one for the Reception of Lunaticks, nor shall any such Licence be granted for any longer Term than for one Year; and the said Justices shall, at the Time of granting such Licences as aforesaid, nominate and appoint two Justices of the Peace for the said County, and also one Physician, to visit and inspect all such Houses as shall be licensed by such Justices as aforesaid; and the said Justices and Physicians, so nominated and appointed, or any two of them, whereof the Physician to be one, may, and are hereby authorized and impowered to visit, in the Day-time, every House so licensed, within the County where such House or Place shall be so licensed, as often as they shall think fit.

Justices, at Visitations, to make Minutes of the Conditions of Houses; which Minutes are to be entered, by Way of Report, by the Clerk; and a Copy sent to the Secretary.

XXIV. And be it further enacted, That the said Justices and Physician, so nominated, or such of them as shall visit any licensed House as aforesaid, may, at every Visitation, if they think necessary, make, or cause to be made, Minutes, in Writing, of the State and Condition of every House which they shall visit, as to the Care of the Patients therein, and all such other Particulars as they shall think deserve their Notice, together with their Observations thereupon; all which Minutes shall be entered, by way of Report, in a Register to be kept for that Purpose, by the Clerk of the Peace for the County where such House or Houses shall be licensed as aforesaid, a Copy whereof shall, from Time to Time, be sent by the said Clerk of the Peace to the Secretary to the said Commissioners, to be by him inserted in a separate Register; which Register shall be kept in the same Box, and in the same Manner, as the Register belonging to the said Commissioners is herein-before directed to be kept; and the said Clerk of the Peace shall be paid such Sum and Sums of Money for his Trouble in the Execution of this Act as the said Justices shall order and direct; and all Money to be paid for such Licences as shall be granted by the said Justices of the Peace, as aforesaid, shall be paid to the Clerk of the Peace, as aforesaid, who shall keep an Account thereof, in a Book or Books to be kept for that Purpose, and shall account for the same to the said Justices, as often as he shall be required so to do; and all Expences attending the Execution of this Act, (except within the Cities of *London* and *Westminster*, and within seven Miles thereof, and also except within the said County of *Middlesex*) shall be defrayed out of such Money as aforesaid, in such Manner as the said Justices shall, from Time to Time, within their respective Counties, order and direct.

Clerk of the Peace to take the Secretary's Oath.

XXV. And be it further enacted, That at such General Quarter Session, when such Justices and Physician shall be appointed as aforesaid, the Clerk of the Peace shall take the like Oath as is appointed by this Act to be taken by the Secretary of the Commissioners.

Keepers refusing Admittance to the Justices and Physician, to forfeit their Licence.

XXVI. And be it further enacted, That in case the Keeper of any House or Place for the Reception of Lunaticks, not being within the said City of *London* or *Westminster*, or within seven Miles of the same, or within the said County of *Middlesex*, shall, in the Day-time, refuse the said Justices and Physician, on such Visitation, Admittance, at any Time or Times, into such House or Place as aforesaid, the Master or Keeper of such House or Place shall, for such Offence, forfeit his Licence.

If a Keeper do not give Notice of the Receipt of a Lunatick, within 14 Days, he shall forfeit 100l.

XXVII. And be it further enacted by the Authority aforesaid, That the Keeper of any House or Place for the Reception of Lunaticks, not being within the said City of *London* or *Westminster*, or within seven Miles of the same, or within the said County of *Middlesex*, shall, and is hereby required, to give such Notice, as aforesaid, of the Receipt of every such Lunatick (except such pauper Lunaticks as shall happen to be sent there by Parish Officers) to the Secretary to the Commissioners, at the College of Physicians aforesaid, within the Space of fourteen Days from the Time of such Lunatick's being received into any such House or Place; and every Keeper of any such licensed House or Place, who shall admit, harbour, entertain, or confine, any Person as a Lunatick, without having an Order in Writing, under the Hand and Seal of some Physician, Surgeon, or Apothecary, that such Person is proper to be received into such House or Place as a Lunatick, or shall receive any Lunatick into any such House or Place, having such Order, and shall not give Notice thereof to the Secretary of the said Commissioners, within the Time, and in the Manner aforesaid, shall forfeit and pay the Sum of one hundred Pounds.

No Licence to be granted to any Person, without Recognizance in 100l. with Sureties.

XXVIII. And be it further enacted, That no such Licence shall be granted as aforesaid, either by the said Commissioners or Justices of the Peace, as aforesaid, unless, upon granting such Licence, the Person to whom such Licence is granted shall enter into Recognizance to the King's Majesty, his Heirs and Successors, in the Sum of one hundred Pounds, with two sufficient Sureties, each in the Sum of fifty Pounds, or one sufficient Surety in the Sum of one hundred Pounds, under the usual Conditions, for the good Behaviour of such Person during the Time for which such Licence shall be granted.

The Chancellor to order the Commissioners, or Justices, to inspect licensed Houses, and to make Report;

XXIX. And be it further enacted by the Authority aforesaid, That the Lord High Chancellor of *Great Britain*, or Lord Keeper, or the Commissioners for the Custody of the Great Seal, or the Lord Chief Justice of the Court of King's Bench, or the Lord Chief Justice of the Court of Common Pleas for the Time being, may, at any Time or Times, by any written Order, directed to the Commissioners appointed by this Act, or to the Justices of the Peace and Physician, appointed Visitors, at any General Quarter Session, require the said Commissioners, or any three or more of them, or the said Visitors, or any two of them, to visit or inspect any House or Houses so licensed; and also to make a Report to him or them, touching such Matters as they shall, in such Orders, be directed to inquire into, or as they shall think deserving his or their Lordships Notice; and the said Lord High Chancellor, or Lord Keeper, or Commissioners for the Custody of the Great Seal, or Lord Chief Justice of the Court of King's Bench, or the

they may also send for, and

Lord

Lord Chief Justice of the Court of Common Pleas, may also, at any Time or Times, by a like Order, send for, and inspect the Register or Registers to be kept as aforesaid; and may summon and examine all or any of the Persons concerned in the Execution of this Act, as often as shall be thought necessary and proper; and in case they, or any of them, shall not obey all such Orders as aforesaid, within two Days after the Receipt of the same, and shall not shew sufficient Cause to the contrary, every Person, so offending, shall be deemed guilty of a Contempt of the Court of Chancery, Court of King's Bench, or Court of Common Pleas, as the Case shall be.

inspect Registers,
and examine
Parties.

XXX. Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to any of the publick Hospitals within this Kingdom.

Not to extend
to publick Hos-
pitals.
Proceedings to
be justified in
Course of Com-
mon Law.

XXXI. And whereas it is not intended by this Act to give the Keepers of any House or Houses, so to be licensed as aforesaid, or any other Person concerned in confining any of his Majesty's Subjects therein, any new Justification from their being able to prove that the Persons so confined have been sent there by such Direction and Advice as are required by this Act; be it therefore declared and enacted, That in all Proceedings that shall be had under his Majesty's Writ of *Habeas Corpus*, and in all Indictments, Informations, and Actions, that shall be preferred and brought against any Person or Persons, for confining or ill-treating any of his Majesty's Subjects, in any of the said Houses, the Parties complained of shall be obliged to justify their Proceedings, according to the Course of the Common Law, in the same Manner as if this Act had not been made.

XXXII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures which shall be incurred within the said Cities of *London* or *Westminster*, or within seven Miles of the same, or within the said County of *Middlesex*, for Offences against this Act, shall and may be sued for and recovered in any of the Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, by the President of the said College for the Time being, in the Name of the Treasurer belonging to the said College, at any Time within six Calendar Months after the Offence committed; and all such Penalties and Forfeitures, when recovered, shall, and are hereby directed to be paid to the said Treasurer; and shall be applied (except such Penalties and Forfeitures as are otherwise directed to be applied by this Act) in Manner following; (that is to say) one Moiety of all such Penalties and Forfeitures shall go to the Informer, and the other Moiety towards defraying the Expences attending the Execution of this Act: And all Penalties and Forfeitures which shall be incurred for Offences against this Act, not within the said Cities of *London* or *Westminster*, or within seven Miles of the same, or within the said County of *Middlesex*, shall and may be sued for and recovered by Action of Debt, Bill, Plaint, or Information, by and in the Name of the Clerk of the Peace for the County where any such Offence shall be committed; and all such Penalties and Forfeitures, when recovered, shall be applied, one Moiety to the Informer, and the other Moiety for defraying the Expences attending the Execution of this Act, within such County.

Penalties and
Forfeitures how
to be recovered
and applied.

XXXIII. And be it further enacted, that if any Action or Suit shall be commenced or brought against any Person or Persons, for any Thing done in pursuance of this Act, the same shall be commenced within six Calendar Months next after the Fact committed; and shall be laid or brought in the County, City, or Place, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall and may, at his Election, plead specially, or the General Issue, Not guilty; and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to be so done, or that such Action or Suit shall be brought in any other County, City, or Place, or shall not have been commenced within the Time before limited for bringing the same; that then the Jury shall find a Verdict for the Defendant or Defendants; and, upon a Verdict being so found, 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 have such Remedy for recovering the same as any Defendant or Defendants hath or have in any other Cases by Law.

Limitation of
Actions.

General Issue.

Treble Costs.

XXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and others Persons whomsoever, without specially pleading the same.

Publick Act.

XXXV. And be it further enacted by the Authority aforesaid, That this Act shall continue in Force for the Term of five Years, and from thence to the End of the then next Session of Parliament.

Continuance
of this Act.

C A P. L.

An Act to enable certain Persons, during the Minority of Sir *John Saint Aubyn* Baronet, to renew and grant Leases of Lands, and to sell other Lands, all at *Plymouth Dock*, in the County of *Devon*, for the Use of his Majesty, his Heirs and Successors.

C A P. LI.

An Act to confirm certain Sales and Purchases of Estates, made by the Governors of the Free Grammar School of King *Edward* the Sixth, in *Macclesfield*, in the County of *Chester*; to enable them to make other Sales, Purchases, and Exchanges; and to improve and extend the Benefits of the Foundation of the said School.

C A P. LII.

An Act to enable the Inhabitants of *Grosvenor Square*, in the County of *Middlesex*, to pave, cleanse, light, water, and embellish the said Square; and for other Purposes therein mentioned.

C A P.

C A P. LIII.

An Act for making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Hundred of *Stratton*, in the County of *Cornwall*, to the River *Tamer*, in the Parish of *Calstoke*, in the said County.

C A P. LIV.

An Act for the better providing suitable Quarters for Officers and Soldiers in his Majesty's Service in *North America*.

Preamble.

WHEREAS Doubts have been entertained, whether Troops can be quartered otherwise than in Barracks, in case Barracks have been provided sufficient for the quartering of all the Officers and Soldiers within any Town, Township, City, District, or Place, within his Majesty's Dominions in *North America*: And whereas it may frequently happen, from the Situation of such Barracks, that, if Troops should be quartered therein, they would not be stationed where their Presence may be necessary and required: 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, in such Cases, it shall and may be lawful for the Persons who now are, or may be hereafter, authorized by Law, in any of the Provinces within his Majesty's Dominions in *North America*, and they are hereby respectively authorized, empowered, and directed, on the Requisition of the Officer who, for the Time being, has the Command of his Majesty's Forces in *North America*, to cause any Officers or Soldiers in his Majesty's Service to be quartered and billeted in such Manner as is now directed by Law, where no Barracks are provided by the Colonies.

Persons authorized by Law, in America, to provide Quarters, where none are provided, for Officers and Soldiers.

Governor of the Province to give Orders for Quarters for Officers and Soldiers.

II. And be it further enacted by the Authority aforesaid, That if it shall happen at any Time that any Officers or Soldiers in his Majesty's Service shall remain within any of the said Colonies without Quarters, for the Space of twenty-four Hours after such Quarters shall have been demanded, it shall and may be lawful for the Governor of the Province to order and direct such and so many uninhabited Houses, Outhouses, Barns, or other Buildings, as he shall think necessary to be taken (making a reasonable Allowance for the same), and made fit for the Reception of such Officers and Soldiers, and to put and quarter such Officers and Soldiers therein, for such Time as he shall think proper.

Continuance of this Act.

III. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall continue and be in Force, in all his Majesty's Dominions in *North America*, until the twenty-fourth Day of *March*, one thousand seven hundred and seventy-six.

C A P. LV.

An Act for making commodious Ways and Passages within the Parish of *Saint Stephen*, in the City of *Bristol*; and for enlarging the Burying Ground belonging to the said Parish.

C A P. LVI.

An Act for making and establishing publick Quays or Wharfs at *Kingston upon Hull*, for the better securing his Majesty's Revenues of Customs, and for the Benefit of Commerce in the Port of *Kingston upon Hull*, for making a Bason or Dock, with Reservoirs, Sluices, Roads, and other Works, for the Accommodation of Vessels using the said Port; and for appropriating certain Lands belonging to his Majesty, and for applying certain Sums of Money out of his Majesty's Customs at the said Port for those Purposes; and for establishing other necessary Regulations within the Town and Port of *Kingston upon Hull*.

Preamble.
Act 14 Car. 2.
recited.

WHEREAS in and by an Act of Parliament, made in the fourteenth Year of the Reign of King *Charles the Second*, intituled, *An Act for preventing Frauds, and regulating Abuses, in his Majesty's Customs*; reciting, amongst other Things, That, in and by an Act of Parliament, made in the first Year of *Queen Elizabeth* of famous Memory, directing when and where Merchandise should be landed, and Customs paid, it was, amongst divers other Things, enacted and ordained, That no Goods, Wares, or Merchandise, should be shipped or laden aboard any Ship or Vessel, or landed or discharged out of or from any Ship or Vessel, but in or upon some such open Place, Quay, or Wharf, Places, Quays, or Wharfs (except the Port of *Hull*), as her Highness, her Heirs and Successors, should therefore assign and appoint, by virtue of her Highness's Commission or Commissions within the Port of *London*, and in all Ports, Creeks, Havens, or Roads: And also reciting, That, notwithstanding the aforesaid Act, there were some Ports, Creeks, and Places, where Customers, Collectors, and Comptrollers, and Searchers, and their Servants, had then, Time out of Mind, been resident, to which no such Commissions were sent, nor Places, Quays, or Wharfs appointed, as by the said Act was directed: And further reciting, That since that Time, by reason of the Alteration of Rivers, Streams, Channels, and Sands, some Places then appointed were become unfit and useles, and others much more convenient and commodious, as well for Traffick and

Commerce

Commerce as for landing and discharging, lading and shipping, of Goods, Wares, and Merchandise: It was therefore, by the said recited Act, made in the fourteenth Year of the Reign of his said late Majesty King Charles the Second, amongst other Things enacted and ordained, That the King's Majesty might, from Time to Time, by his Highness's Commission or Commissions out of his Court of Exchequer, assign and appoint all such further Places, Ports, Members and Creeks (except the Town of Hull), as should be lawful for the landing and discharging, lading or shipping, of any Goods, Wares, or Merchandise, within the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, and to what ancient and head Ports respectively such Places, Members, or Creeks, should belong and appertain: And where any such Member, Creek, or Place, should be so as aforesaid appointed by virtue of the said Commission or Commissions, the Customer, Collector, Comptroller, and Searcher, of the Head Ports should, by themselves or their sufficient Deputy or Deputies, Servant or Servants, reside and inhabit, for the entering, clearing, and passing, shipping and discharging, of Ships, Goods, and Merchandise; and, by virtue of the aforesaid Commission or Commissions, might likewise set down and appoint the Extents, Bounds, and Limits, of every Port, Haven, or Creek, within his Majesty's Kingdom of England, Dominion of Wales, and Town and Port of Berwick, whereby the Extents, Limits, and Privileges, of every Port, Haven, or Creek, might be ascertained and known; and that it should not be lawful for any Person or Persons whatsoever to lade or put, or cause to be laden or put, off or from any Quay, Wharf, or other Place, on the Land, into any Ship, Vessel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandise whatsoever (Fish taken by his Majesty's Subjects, Sea Coal, Stone, and Bestials, only excepted), to be transported into any Place of the Parts beyond the Seas, or carried by Land into the Realm of Scotland, or to take up, discharge, or lay on Land, or cause or procure to be taken up, discharged, or laid on Land, out of any Boat, Lighter, Ship, Vessel, or Bottom (being not in Leak or Wreck), any Goods, Wares, or Merchandise whatsoever (Fish taken by his Majesty's Subjects, Bestials, and Salt, only excepted), to be brought from any of the Parts beyond the Seas, or by Land from the Realm of Scotland, by way of Merchandise, but only upon such open Place, Quay, or Wharf, Places, Quays, or Wharfs, as his Majesty should, from Time to Time, assign and appoint, by virtue of such Commission and Commissions as aforesaid, in his Majesty's Port of London, and the Members and Liberties thereof, and in any Port, Place, Member, or Creek, within his Majesty's Kingdom of England, Dominion of Wales, and Town and Port of Berwick, without special Sufferance and Leave first had from the Commissioners and Officers of his Majesty's Customs, upon the Penalty of the Forfeiture of all such Goods, Wares, and Merchandise, as by the last recited Act, relation being thereunto had, it doth and may, amongst other Things therein contained, more fully appear: And whereas, since the passing of the said recited Acts, the Trade and Commerce of the Port of Kingston upon Hull are greatly increased, and it is highly expedient, for the Security and Improvement of the publick Revenue, and for the Advantage of Commerce, that lawful Quays should be established at the said Port, for the shipping and landing of Goods and Merchandise imported there, and exported from thence, in such Manner as is herein-after expressed; which, by reason of the Exception in the said before-recited Acts, cannot be done without the Interposition 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 from and after the passing of this Act, it shall be lawful for his Majesty, his Heirs and Successors, from Time to Time, by his and their Commission or Commissions out of the Court of Exchequer in England, to assign and appoint such open Places, Quays, or Wharfs, at Kingston upon Hull, on the West Side of the Harbour, and on the Walls adjoining the Town's Ditches, to be lawful open Places, Quays, and Wharfs, for the landing and discharging, lading and shipping, of all Goods, Wares, and Merchandises, exported to, or imported from, foreign Parts, and to set down, appoint, and settle, the Extents, Bounds, Metes, and Limits thereof, subject nevertheless to such Provisions and Regulations as are herein-after in that Behalf expressed or declared; and that it shall not be lawful for any Person or Persons whatsoever to lade or put, or cause to be laden or put, off or from any Quay, Wharf, or other Place, on the Land within the said Port of Kingston upon Hull, into any Ship, Vessel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandise whatsoever (except Fish taken by his Majesty's Subjects, Sea Coal, Stone, and Bestials), to be transported into any Place beyond the Seas, or to take up, discharge, or lay on Land, or cause or procure to be taken up; discharged, or laid on Land, out of any Boat, Lighter, Ship, Vessel, or Bottom (being not in Leak or Wreck), any Goods, Wares, or Merchandise whatsoever (Fish taken by his Majesty's Subjects, Bestials, and Salt, only excepted), to be brought from any of the Parts beyond the Seas, by way of Merchandise, but only upon such open Place, Quay, or Wharf, Places, Quays, or Wharfs, as his Majesty, his Heirs or Successors, shall, from Time to Time, assign and appoint, by virtue of such Commission and Commissions as aforesaid, at Kingston upon Hull, on the West Side of the Harbour, and on the Walls adjoining the Town's Ditches, or off, from, or upon, such Quays or Wharfs as shall be built and provided in pursuance of this Act, in Manner herein-after mentioned, without special Sufferance or Leave first had from the Commissioners or Officers of his Majesty's Customs, upon the Penalty of the Forfeiture of all such Goods, Wares, and Merchandises, so laden or discharged, contrary to the true Meaning of this Act, or the Value thereof; any Thing in the before-recited Acts, or any other Law, Usage, or Custom, to the contrary notwithstanding.

II. Provided always, and be it enacted, That no such open Places, Quays, or Wharfs, so to be appointed, shall extend or project above fifteen Feet from the outermost Part of the present Buildings into the Haven.

III. And whereas there are certain Staiths situate on the West Side of the River Hull, between Thomas Walton's Ship Yard, and a certain Staith called Rotten Herring Staith, at which Staiths the Pro-

His Majesty empowered to appoint open Quays at Hull.

No Person to ship Goods for Exportation;

Exception.

No Wharfs, &c. shall project above 15 Feet from the present Buildings. Proprietors of Staiths on the

West Side of the River allowed to make Wharfs.

Proprietors thereof have, for Time immemorial, landed and discharged, laden and shipped, Goods, Wares, and Merchandise: And whereas it is reasonable that this Privilege should be continued to the Proprietors of the said Staiths; be it therefore further enacted by the Authority aforesaid, That when and as soon as the Basin or Dock herein-after mentioned, and directed to be made, shall be fit for the Reception of loaded Ships, and not sooner, it shall be lawful for all and every the Proprietors of the said Staiths to build and make, at their own Expence and Charge, commodious Quays or Wharfs opposite to their said Staiths respectively, to be erected upon Piles of Wood, and not otherwise, and to project into the Haven of the said River *Hull* fifteen Feet, to be open at all Times to the Officers of his Majesty's Revenue, by a free and clear Communication with the common Staiths adjoining; on which Quays or Wharfs, when so made and erected, it shall be lawful to ship off, land, and discharge, all Goods called *Sufferance Goods*; that is to say, Lead, Hemp, Iron, Flax, Yarn, Timber, Raff, and all other Goods and Merchandise whatever, which are permitted to be shipped off or landed in the Port of *London*, as Sufferance Goods, and under the like Regulations.

Drains emptying into the Haven to be secured at the End.

IV. Provided always, and it is hereby enacted and declared, That all Common Sewers or Drains, which shall empty themselves into the said Haven in the Length of the Quays or Wharfs above described, shall be secured, at the End next the River, with strong Iron Bars, not more than two Inches asunder; any Thing above contained to the contrary notwithstanding.

Regulations in building the Wharfs, &c.

V. And be it further enacted, That the said Quays or Wharfs shall be erected upon two Rows of Piles only, except where the Foundation of the Ground appears to be such as to require a larger Number of Rows, which Number shall, in case of Dispute, be settled and determined by two able disinterested Engineers, to be appointed, one by the Commissioners for executing this Act, or any thirteen or more of them, and the other by the Trustees of the *Holdernefs Drainage*, hereafter mentioned, or any five or more of them; and they are hereby respectively required to appoint such Engineers accordingly, and the Determination of such Engineers shall be final and conclusive.

Proprietors of Staiths to remove Banks, &c. beyond 35 Feet from the outermost Parts of the Staiths.

VI. Provided always, and be it enacted, That all and every the Proprietors of the said Staiths shall, and they are hereby required, within eighteen Calendar Months after the first Sufferance Quay or Wharf shall have been erected or built, in pursuance of this Act, to cleanse, scour, open, deepen, widen, or cut through and take away, at their own Costs and Charges, all Banks, Hills, Earth, Soil, or Rubbish, beyond thirty-five Feet from the outermost Part of the Staiths or Warehouses already built and erected upon the West Side of the Haven of the said River *Hull*, as low as Low-water Mark, from *Thomas Walton's Ship Yard to Rotten Herring Staith*; and also to make and preserve the Beach in such Manner that the same may slope or batter two Feet at least for every Foot of perpendicular Rise from the said Low-water Mark, in the said Haven, to within fifteen Feet of the present Staiths or Warehouses, and so as that the Level of the Ground, without the said Distance of thirty-five Feet from the present Staiths or Warehouses, shall be equal in a Line or Height with the said Low-water Mark.

Low-water Mark to be determined by two Engineers.

VII. And, in order to prevent Disputes about the Line or Height of the said Low-water Mark, be it further enacted, That the same shall be settled and determined, within twelve Calendar Months after the passing of this Act, by *Thomas Tosfield* and *John Grundy*, Esquires.

In case the Engineers disagree, a Referee to be nominated.

VIII. And be it further enacted, That in case the said *Thomas Tosfield* and *John Grundy* shall not agree, then it shall and may be lawful for them, and they are hereby authorized and required, to nominate some other Engineer to be an Umpire or Referee; and the Determination of the said *Thomas Tosfield*, *John Grundy*, and the said other Engineer, or any two of them, as to the Low-water Mark in the said Haven, shall, within twenty Days after the same shall have been agreed upon, be set forth, in Writing, and one Copy thereof, signed by them, or any two of them, shall be delivered to the Commissioners for executing this Act, or their Clerk, and another Copy thereof to the Trustees for executing two several Acts, made in the fourth and sixth Years of his present Majesty's Reign, for draining certain Low Grounds and Carrs in *Holdernefs*, in the East Riding of the County of *York*, or to their Clerk; and the said Determination shall be final and conclusive as to the Line or Height of the said Low-water Mark.

In case of the Death or Refusal to act of Mr. Tosfield, or Mr. Grundy, others to be chosen.

IX. And be it further enacted, That in case the said *Thomas Tosfield* shall die, or refuse or neglect to act, then it shall and may be lawful for the said Trustees for draining the said Low Grounds and Carrs in *Holdernefs*, or any five or more of them, and they are hereby required, within two Months after such Death, Refusal, or Neglect, shall be known, to nominate and appoint one other Engineer, of known Abilities and Reputation, and not concerned in any Office or Trust under the said Trustees, in the Room of the said *Thomas Tosfield*; or in case the said *John Grundy* shall die, or refuse or neglect to act, then it shall and may be lawful for the said Commissioners for executing this Act, or any thirteen or more of them, and they are hereby required, within two Months after such Death, Refusal, or Neglect, shall be known, to nominate and appoint one other Engineer, of known Abilities and Reputation, and not concerned in any Office or Trust under the said Commissioners, in the Room of the said *John Grundy*; and the Person or Persons so respectively nominated and appointed, shall have the same Power and Authority to determine the Line or Height of the said Low-water Mark, as the Person or Persons, in whose Room he or they shall succeed was or were vested with.

Penalty on Proprietors not removing Banks, &c. beyond 35 Feet Distance of the Staiths.

X. And be it further enacted, That in case any of the Proprietors of the said Staiths shall not, within eighteen Calendar Months after the first Sufferance Quay or Wharf shall have been erected or built, in pursuance of this Act, cleanse, scour, open, deepen, widen, or cut through and take away, all Banks, Hills, Earth, Soil, or Rubbish, beyond thirty-five Feet from the outermost Part of their respective Staiths or Warehouses, as low as the said Low-water Mark; or to make and preserve the Beach, in such Manner that the same may slope or batter two Feet at least for every Foot of perpendicular Rise from the Low-water Mark, in the said Haven, as shall be settled by the said Engineers, and so as that the Level of the Ground, without the said Distance of thirty-five Feet from the present Staiths or Warehouses, shall be equal in a Line with the said Low-water Mark; or shall, at any Time, after that the said Slope or Batter

is made, and after the said Banks, Hills, Earth, Soil, or Rubbish shall be so removed, neglect to keep the same properly sloped, cleansed, scoured, opened, deepened, widened, or cut through and taken away, in Manner directed by this Act; then, and in that Case, it shall and may be lawful to and for the Commissioners for executing this Act, or any thirteen or more of them, and they are hereby authorized and required, within three Months after Notice or Complaint, in Writing, shall have been delivered to their Clerk or Treasurer, signed by the said Trustees for draining the said Low Grounds and Carrs in *Holderness*, or any five or more of them, from Time to Time, to cleanse, scour, open, deepen, widen, or cut through and take away, all Banks, Hills, Earth, Soil, or Rubbish, beyond thirty-five Feet from the outermost Part of the Staiths or Warehouses of any Proprietor, as low as the said Low-water Mark, who shall have neglected so to do in Manner herein-before directed; and to make and preserve the Beach, in such Manner that the same may slope or batter two Feet at least for every Foot of perpendicular Rise from the Low-water Mark in the said Haven, and so as that the Ground without the said Distance of thirty-five Feet shall be equal in a Line with the Height of the said Low-water Mark; and to levy the Costs and Charges attending the same by Distress and Sale of any of the Goods or Chattels of the Proprietor so neglecting, as aforesaid, or of the Occupier or Tenant of any of the Staiths or Warehouses belonging to any such Proprietor so neglecting, as aforesaid.

XI. And be it further enacted, That in case the said Commissioners for executing this Act shall, for the Space of three Months after such Notice or Complaint, as aforesaid, from the said Trustees, neglect or refuse to make such Slope or Batter, or to remove all Banks, Hills, Earth, Soil, or Rubbish, without the Distance, and in the Manner before mentioned; then, and in that Case, the said Commissioners shall, for every Month in which they shall neglect or refuse to remove the Cause of such Complaint, after the Expiration of the said three Months, forfeit and pay to the said Trustees the Sum of fifty Pounds; which said Sum of fifty Pounds shall and may be recovered by the said Trustees, by Action of Debt, Bill, Plaint, or Information, against the said Commissioners, with Double Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance, shall be allowed; and the said Sum, when recovered by the said Trustees, shall be by them applied for the Purposes of the said Drainage.

XII. And be it further enacted, That no Trustee for executing the said two Acts, made in the fourth and sixth Years of his present Majesty's Reign, for draining certain Low Grounds and Carrs in *Holderness*, in the East Riding of the County of *York*, shall be capable of acting in the Execution of any of the Powers by this Act given to the said Trustees, unless he shall be actually possessed of Lands, Tenements, or Hereditaments, of the annual Value of fifty Pounds; or shall be possessed of a personal Estate to the Amount of two thousand Pounds above Reprizes; or shall be Heir-apparent of a Person possessed of Lands, Tenements, or Hereditaments, of the annual Value of one hundred Pounds: And if any Trustee, not so qualified, shall act in the Execution of any of the Powers by this Act given to the said Trustees of the *Holderness* Drainage, every such Trustee shall forfeit and pay the Sum of fifty Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, together with Double Costs of Suit, by any Person who will prosecute or sue for the same.

XIII. And whereas there are certain common Staiths on the West Side of the said River *Hull*, known or distinguished by the several Names of *Shields Staith*, *Salters Lane Staith*, *New Staith*, *Chapel Lane Staith*, *Bishop Lane Staith*, *Scale Lane Staith*, *Church Lane Staith*, *Rotten Herring Staith*, *Horse Staith*, and two other common Staiths, in a Place in the said Town of *Kingston upon Hull*, called *The Ropery*, which, for Time immemorial, have been repaired by the Mayor and Burgesses of the same Town; be it therefore enacted, That the said Mayor and Burgesses, and their Successors, shall be deemed the Proprietors of all and every the last mentioned Staiths, for the Purposes of this Act; and shall have the like Power to build or make Quays or Wharfs opposite such Staiths, and to use, hold, and enjoy, the same, in like Manner as any other Proprietor is enabled to do by virtue of this Act; but nothing herein contained shall extend to prevent the free Landing of any such Goods, Materials, or other Things, Merchandise excepted, as have been accustomed heretofore to be landed at any such common Staiths, free of Wharfage to the Proprietors of the said Staiths.

XIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That if the Owner or Proprietor of any Quay or Wharf, so to be set out as aforesaid, shall not conform to the Rules and Measures hereby prescribed and directed, or shall at any Time discontinue or alter the same, or make new Incroachments, contrary to the Provisions of this Act, and after publick Notice thereof given by the Collector and Comptroller of his Majesty's Customs at the Port of *Kingston upon Hull*, by fixing up a Writing, under their Hands, where the Fault shall be committed, declaring the Offence, and limiting a Day and Time for the Amendment thereof, shall not cause the same to be amended and removed accordingly; then such Quay or Wharf shall, from thenceforth, be no more deemed and taken to be, or have the Benefit or Privilege of, a lawful Place for shipping, lading, or landing, any Goods or Merchandise, but shall be utterly debarred thereof, unless restored by his Majesty's Special Warrant; any Thing herein-before contained to the contrary notwithstanding.

XV. And whereas it is necessary that a Basin or Dock, with Reservoirs, Sluices, Roads, and other Works, shall be made and provided, and Regulations established for the proper using thereof, and for the general Benefit of all Persons concerned in the Commerce of the said Port of *Kingston upon Hull*; be it therefore further enacted by the Authority aforesaid, That it shall be lawful for the Company herein after mentioned and described, and they are hereby empowered and required, within the Space of seven Years from and after the thirty-first Day of *December*, one thousand seven hundred, and seventy-four, to make a Basin or Dock, to extend from the River *Hull* to a certain Place in the said Town of *Kingston upon Hull*, called *The Beverley Gates*, or as near thereto as conveniently may be, and to make the same in all Parts equal in Depth to the Bed of the River, or at least within fifteen Inches of the same, for the Admission

Penalty 50 l. on Commissioners neglecting to remove Banks, &c.

Qualification of Trustees.

Penalty 50 l. on Trustees acting, not being duly qualified.

Corporation deemed Proprietors of certain Staiths on the West Side the River.

Owners not conforming to Rules, to lose their Privileges.

Company empowered within seven Years to make a Basin,

with Reservoirs,
ac.

of the loaded Ships, and of such Width at the least as the Ground granted by this will admit; and that the said Company shall and may likewise cause to be made and provided such Reservoirs, Sluices, Bridges, Roads, and other Works, Requisites, Matters, and Things, as they shall from Time to Time adjudge necessary, for the more convenient Use of the said Basen or Dock, and for the general Benefit of Shipping, and of the Trade and Commerce of the said Port; and the said Company shall and may also build, or cause to be built, within the said Space of seven Years, a Quay or Wharf, of a sufficient and convenient Length, for the Trade and Business of the said Town and Port, which shall range along the Side of the said Basen or Dock next the Town; which Quay or Wharf shall be deemed and taken to be a legal Quay or Wharf, for the landing and discharging, lading and shipping, of any Goods, Wares, or Merchandise, and shall be of the same Effect, to all Intents and Purposes whatsoever, as if the said Quay or Wharf had been erected and set out by virtue of his Majesty's Commission issuing out of the Court of Exchequer in *England*; and that, from and immediately after the Expiration of twelve Calendar Months after the said Basen or Dock shall be finished, the Practice, in the said Port, of examining and discharging Goods on Board of Ships and Vessels shall cease and determine.

If the Company
do not provide
Quays within
the limited
Time, the King
to appoint them
by Commission.

XVI. Provided always, and it is hereby further enacted by the Authority aforesaid, That if the Company herein-after named shall not build and complete the Quay or Wharf along the Side of the said Basen or Dock, in the Manner herein before described, and within the Time for that Purpose above mentioned, it shall be lawful for his Majesty, his Heirs and Successors, by his and their Commission or Commissions out of the Court of Exchequer in *England*, to assign and appoint such open Places, Quays, and Wharfs, within any Part of the said Port of *Kingston upon Hull*, in the same Manner, and with the like Powers, and subject to the like Rules and Restrictions, Penalties and Forfeitures, as lawful Quays and Wharfs are set out and appointed in other Ports of this Kingdom; any Thing herein-before contained to the contrary notwithstanding.

Company's
Names.

XVII. And whereas the several Persons, Bodies Corporate and Politick, herein-after named, are willing to begin, carry on, and complete the said Basen or Dock, and Quay or Wharf adjoining thereto, and to make and provide such Reservoirs, Sluices, Bridges, Roads, and other Works, as shall be necessary for accomplishing the Design and good Purposes intended by this Act, in Manner, and upon the Terms and Conditions, herein-after mentioned and contained; be it therefore further enacted by the Authority aforesaid, That the Mayor and Burgesses of the Town of *Kingston upon Hull*; the Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House of Kingston upon Hull*; *Joseph Sykes, Josiah Corthine, Joseph Williamson, Henry Maister, Samuel Watson, Henry Etherington, John Porter, John Lambert, Benjamin Blaydes Thompson, John Dixon, Richard Howard, John Howard, Isaac Broadley, William Waller, Joseph Pease, William Welfitt, Hugh Ker, George Fowler, Edward Codd, Robert Thorley, William Travis, Joseph Outram, John Staniforth, Thomas Haworth, Thomas Stack, Valentine Budd, Robert Markland, William King, Thomas Turner, William Hamond*, and all and every other Person and Persons, Bodies Corporate and Politick, who are or shall become Subscribers towards the Expence of carrying on the Works hereby intended, their several and respective Successors, Executors, Administrators, and Assigns, together with such Person or Persons as they, or the major Part of them, shall, at any Meeting assembled, by Writing, under their Hands and Seals, nominate and appoint, shall be, and they are hereby declared to be united into a Company, with full Power and Authority, from Time to Time, to direct the making, completing, supporting, altering, and maintaining, such Basen or Dock, and Quay or Wharf adjoining thereto, and also such Reservoirs, Sluices, Bridges, Roads, and other Works, Requisites, Matters, and Things, as they shall think proper, to answer the Intent and Meaning of this Act; and shall, for those Purposes, be one Body Politick and Corporate, by the Name of *The Dock Company at Kingston upon Hull*, and by that Name shall have perpetual Succession, and shall have a common Seal, and by that Name shall and may sue and be sued, and also shall and may have Power and Authority to purchase Lands to them and their Successors and Assigns, for the Use of the said Works, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Crown Land
granted for the
above Purpose.

XVIII. And whereas, in order to promote an Undertaking so beneficial with respect to his Majesty's Revenue, so useful to Navigation, and so conducive to the Advancement and Security of Commerce, his Majesty hath been most graciously pleased to signify his royal Consent to grant and appropriate, for the Purposes before mentioned, and no other, all that Piece or Parcel of Ground, being Part of the Land belonging to his Majesty's military Works at *Kingston upon Hull* aforesaid, called *The Town's Ditches*, from Low-water Mark, in the *River Hull*, leading through and contiguous to the Ship Yards at the North End of the same Town of *Kingston upon Hull*, now in the several Occupations of Alderman *Benjamin Blaydes* and Master *Thomas Walton*, extending from thence South West to *Beverley Gates*, and Southward as far as *Hesle Gates*, in the said Town, and from thence Eastward to a Place called *Harry Ogle's Tower*, in *Kingston upon Hull* aforesaid, together with and including the Gates, Walls, Buildings, Inner and Outer Ditches, Ramparts, Bastions, Bridges and Bridge-ways, and all other Works and Things which at the passing of this Act are, or heretofore did belong to, or were deemed a Part of his Majesty's said military Works; and all such other Buildings and Erections as shall, at the Time of passing this Act, be thereon, excepting such Part thereof as shall, within six Calendar Months next after the passing of this Act, be described with Marks or Stakes, to be used for the Purpose of building a Custom-house, with Warehouses necessary for the same, under the Direction of the Commissioners of his Majesty's Customs in *England*, or any four or more of them; be it therefore further enacted by the Authority aforesaid, That, from and after the passing of this Act, the said Piece or Parcel of Ground, Buildings, Works, Matters, and Things, and all other the Premises last before mentioned, and particularly described (except as before excepted), shall be and remain, and the same are hereby given and granted, and shall be applied and appropriated for and to the Uses and Purposes before mentioned, and for the necessary Purposes relative thereto, and no other, freed and discharged of and from all Claim, Right, and

Title

Title whatsoever of his Majesty, in Right of his Crown, his Heirs and Successors, for ever; subject nevertheless to the yearly Rent of five Shillings, and no more, to be paid by the said Company to his Majesty and his Successors, in lieu of all Rents, Services, and Duties, whatsoever.

XIX. And be it further enacted by the Authority aforesaid, That all and every the several and respective Occupiers, and Persons inhabiting, using, or carrying on any Trade or Business, in or about any such other Buildings or Erections, which, at the Time of passing this Act, shall be upon any Part of the said Ground belonging to his Majesty's said military Works, and hereby appropriated for the Purposes of this Act, shall, and they, and every of them, are hereby severally and respectively strictly enjoined and required to surrender and relinquish the same, and peaceably and quietly to deliver up the Possession thereof to the said Company, or to such Person or Persons as they shall authorise to take Possession thereof: And in case any such Occupier or Occupiers, or other Person or Persons as aforesaid, shall not deliver up such Possession as aforesaid, before the Expiration of three Calendar Months next after being thereunto required, by Notice, under the Seal of the said Company, left at the Premises respectively, or given to or left at the last or usual Place of Abode of the Person or Persons who shall be so required to deliver up Possession, then it shall be lawful for the said Company to issue a Precept or Precepts, under their Seal, to the Sheriff of the said Town of *Kingston upon Hull*, to cause Possession of the respective Premises to be delivered to such Person or Persons as shall be in such Precept or Precepts nominated to receive Possession of the same; and also to direct the said Sheriff to levy such Costs as shall accrue by Means of the issuing and Execution of every such Precept, by Distress and Sale of the Goods and Chattels of any Person or Persons who shall have refused or neglected to deliver up such Possession as aforesaid, and shall refuse or neglect to pay the same Costs; and such Sheriff is hereby required to deliver Possession, and levy such Costs in Manner aforesaid.

Occupiers of the other Buildings to quit; and the Sheriff to deliver Possession on Refusal.

XX. Provided nevertheless, That no Buildings shall be erected by the said Company on the Grounds hereby granted; except for the Convenience and Benefit of carrying on the said Works, until after the Basin and other Works herein-before mentioned shall be completed; and if it shall be then judged necessary to erect any Buildings thereon, no such Building shall be erected nearer than forty Feet to the Scite of the present old Wall.

No Buildings to be erected thereon till the Basin, &c. be completed.

XXI. And whereas it is necessary, that legal open Quays or Wharfs, and likewise the other Works and Conveniences directed and authorised to be made and provided by the Company established by this Act, should be built, made, and completed with Expedition; be it therefore further enacted by the Authority aforesaid, That, at the Expiration of seven Years from the said thirty-first Day of *December*, one thousand seven hundred and seventy-four, or at any shorter Space of Time, when the said Basin and Works shall be declared by the said Company to be finished, the several Works then made and done by the said Company, by virtue and under the Direction of this Act, shall be surveyed and enquired into by two able and experienced Engineers or Surveyors, one of whom shall be nominated and appointed by the Commissioners of his Majesty's Customs, under the Hands of any four or more of them, and the other by the said Company, under their Seal; and if such Engineers or Surveyors shall, in any Case, differ in Opinion, and shall declare the same in Writing, under their Hands, they shall immediately, by such Writing, name some skilful Person to be the Umpire between them, who shall determine the Matter in Dispute, and his Determination shall be final; and the said Engineers or Surveyors, with the Assistance of such Umpire, when necessary, shall make an Award, under their Hands and Seals, of the Progress that shall then have been had and taken in making the Quay or Wharf, Basin or Dock, and all other Works by this Act meant or intended to be built, made, provided, and done by the said Company; and if it shall appear to the said Engineers, or Surveyors, upon such Survey and Inquiry, that the said several Works and Things, or any Part or Parts thereof, shall not be completed, that then the said Engineers or Surveyors shall describe, in Writing, under their Hands, to be delivered to the said Company, what Works shall remain undone, or unfinished, that shall be necessary or requisite to be done and completed, within the Intent and Meaning of this Act; all which Works the said Company are hereby directed and required to cause to be done, made, and completed, as soon thereafter as the several and respective Circumstances will admit: And in case of Neglect or Failure therein, and upon the same being reported to the Commissioners of his Majesty's Customs, under the Hands and Seals of two Engineers or Surveyors, to be nominated and appointed in Manner herein-before mentioned, unless it shall appear, to the Satisfaction of the said Commissioners of his Majesty's Customs, or any four or more of them, that the said Works, or any Part or Parts thereof, shall not have been completed, through some unavoidable Accident, and likewise unless his Majesty, his Heirs or Successors, shall be graciously pleased to signify his Royal Consent, that the Time for completing the said several Works shall be further continued and extended; that then, and in such Case, all the Ground, and the several Works, Matters, and Things, and all other the Premises herein-before granted, or intended to be granted, to the Company herein-before constituted, for the Uses and Purposes herein-before mentioned, shall revert to his Majesty, his Heirs and Successors; and it shall and may be lawful for the Collector and Comptroller of the Customs at *Kingston upon Hull* aforesaid, by the Direction of the Commissioners of his Majesty's Customs, or any four or more of them for the Time being, to enter upon and take Possession of the same for the Use of his Majesty, his Heirs and Successors; any Thing herein-before contained, or any Grant thereof, to the contrary notwithstanding.

If Works are not completed in a certain Time, the Land to revert to the Crown.

XXII. Provided always, and it is hereby further enacted by the Authority aforesaid, That the said Company shall, from Time to Time, and at all Times hereafter, well and sufficiently repair, maintain, support, and cleanse, the Basin or Dock, and the Quay or Wharf, and all other the Works, Matters, and Things, by them to be made, built, and provided, by virtue of this Act.

Company to repair, &c. the Premises.

XXIII. And be it further enacted by the Authority aforesaid, That the said Company shall have Power, and they are hereby authorised and required, to cause to be made, supported, and repaired, a Road forty Feet wide at the least, proper for the Passage of Cattle, Carriages, and Foot Passengers, to lead in

Company to make a Road from Beverley Gate to North such Bridge.

such Manner, and in such Direction, as they shall think most convenient, from *Beverley Gate* aforesaid, on the North Side of the Dock hereby intended to be made, to the Bridge called the *North Bridge*, and from the same *North Bridge*, in such Direction likewise, and in such Manner, as to them shall seem most proper, into the Town of *Kingston upon Hull* aforesaid.

Materials for
Roads and pav-
ing the Quays,
how to be got.

XXIV. And be it further enacted, That the said Company, and such Persons as shall be employed by them, are hereby empowered to dig, gather, take, and carry away, any Stones, Gravel, Sand, or other Materials, proper for the making or repairing of the said Roads, and for paving the said Quays and Wharfs, out of, or from, any waste Ground or Common, without paying any Thing for the same; such Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks, where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle; and also the said Persons may, by Order of the said Company, search for, dig, gather, take, and carry away, for any the Purposes aforesaid, Cobbles from any Part of the Sea Shore; and likewise all such other Materials as aforesaid, in, upon, or out of, from, and over the Lands of any Person or Persons (not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to any Houle, or an inclosed Ground planted and set apart as a Nursery for Trees), paying or tendering Payment for the Privilege of taking such Cobbles, and for the Damage done to the Owners and Occupiers respectively of the Grounds where or from whence any Materials shall be digged, gathered, taken, or carried away, or upon, over, or through which the same, or any other Materials so dug and gathered as aforesaid, shall be conveyed, such Equivalent in Money as the said Company shall adjudge reasonable: And in case of any Difference between the said Company, or other Persons employed as aforesaid, and the Owners or Occupiers of private Lands or Property, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace, at their next General Quarter Sessions, or at the second General Quarter Sessions at the farthest, to be holden for the East Riding of the County of *York*, on ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payment and Damages; and the Judgment or Order of the said Justices therein shall be final and conclusive to all Parties.

Justices to de-
termine all
Differences.

Ground, Bason,
&c. vested in the
Company.

XXV. And be it further enacted by the Authority aforesaid, That the Ground and Premises herein before given and granted, and all Gates, Walls, Ditches, Ramparts, Bastions, Bridges, Bridgeways, Buildings, Erections, and other Matters and Things thereon and thereunto belonging or appertaining, subject to the Reversion herein before limited to his Majesty, his Heirs and Successors, and also all Basons or Docks, Reservoirs, Quays, Wharfs, Works, Buildings, and other Requisites, Roads, Ways, Matters, and Things, which shall be made, built, provided, or established by virtue or in pursuance of this Act (except such Quays or Wharfs, or other Works, as shall be made or erected by virtue of this Act, by any of the Proprietors of Staiths in the Haven of the said River *Hull*), shall be, and the same are hereby vested in the said Dock Company, and they are hereby authorized and empowered to bring Actions, or to prefer Bills of Indictment, against any Person or Persons who shall damage or injure any of the Works to be made, erected, or established, by virtue of this Act (except as before excepted), or shall steal, or wrongfully take away any of the Stones, Iron, Utensils, or Materials, provided for or used therein, or for any other the Purposes of this Act, or who shall wilfully do, or suffer, or consent to any Thing, whereby Damage may accrue to the said Basons, Quays, Wharfs, Reservoirs, Sluices, Bridges, Works, Matters, and Things, or any of them, or any Part or Parts thereof, except as aforesaid; and that the like Remedies which are so given to the said Company, with respect to the Premises so vested in them, shall be, and are hereby given to, and may be pursued by the several Proprietors of the said Staiths, with respect to the Quays or Wharfs which shall be so made or erected by them; and all the Damages which shall be recovered by the said Company, by any such Suit or Prosecution, after deducting the Costs of Suit, shall be applied to the Purposes of this Act.

First Meeting of
the Company.

XXVI. And be it further enacted by the Authority aforesaid, That the said Dock Company shall meet together in the Guildhall in *Kingston upon Hull* aforesaid, upon that Day Month next after the passing of this Act, whereof fourteen Days Notice shall be given in the Church of the *Holy Trinity* in the same Town, upon a *Sunday* immediately after divine Service, and in the *York Courant*, or some other publick News-paper circulated in that Neighbourhood, and also fixed at the Exchange, or other publick Place in *Kingston upon Hull* aforesaid, and proceed to the Execution of this Act; and that all subsequent Meetings of the said Company shall be held at such Time and Place, within the said Town of *Kingston upon Hull*, as shall, from Time to Time, be ascertained at the preceding Meeting, and shall be appointed by a Notice to be signed, from Time to Time, by any three or more of the said Company, or their Clerk or Treasurer, and fixed at the said Exchange, or other publick Place, and delivered to or left at the usual or last Place of Abode of such of the said Company as shall be resident within the said Town, or the Liberties or Precincts thereof, three Days at the least before every such Meeting; and that all Orders and Determinations of the said Company shall be at Meetings held by virtue of this Act, and not otherwise; Provided always, That if it shall at any Time appear, to any seven or more of the said Company, that, for any the Purposes of this Act, a special Meeting of the said Company shall be necessary to be held, it shall be lawful for such seven or more of them to cause Notice to be given thereof in the said Church, in Manner aforesaid, and in the *York Courant*, or such other publick News-papers as aforesaid, and by Notice in Writing affixed at the said Exchange, or other publick Place as aforesaid, declaring, in all such Notices, the Place within the said Town, and the Time when such Meeting shall be desired to be held, the Time not being less than six Days after such Notice given, and likewise specifying, in every such Notice, the Reason for, and Intention of, such Meetings respectively; and the said Company are hereby authorized to meet pursuant to such Notices, and proceed to the Execution of the Powers by this Act given them, with respect to the Matters so specified, and not otherwise; and all such Acts and Proceedings of the

Proviso.

the said Company, at such Meetings, shall be valid, to all Intents and Purposes, as if the same had been done at Meetings in the Manner herein-before appointed.

XXVII. And be it further enacted by the Authority aforesaid, That the said Company shall, at their first or some subsequent Meeting, appoint a Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and a Treasurer or Treasurers, for the Purposes of this Act, taking such Security for the faithful Execution of their respective Offices as the said Company shall think fit; and out of the Money raised by virtue of this Act may pay or allow unto such Persons such Salaries or Recompence, yearly or otherwise, for their Trouble, as to the said Company shall seem meet and reasonable; and may revoke and countermand, alter and vary, such Nominations and Appointments, and Salaries or Recompence, and make others in their Stead, or not, as to them shall seem meet and proper; and that the Collector or Collectors, so to be appointed, shall have and enjoy a convenient Seat or Place in the Custom-house of the said Port of *Kingston upon Hull*, for the Execution of his and their Office.

Clerk and Treasurer, after chosen, to give Security.

XXVIII. And, in order to facilitate the Execution of the Works by this Act authorized and directed to be done, and which will be beneficial to his Majesty's Revenue of Customs; be it further enacted, That there shall be issued and paid out of his Majesty's Customs, at the said Port of *Kingston upon Hull*, the full Sum of fifteen thousand Pounds of lawful Money of *Great Britain*, in Manner, and on the Conditions following; that is to say, As soon as the said Company shall prove, to the Satisfaction of the said Commissioners of his Majesty's Customs for that Part of *Great Britain* called *England*, or any four or more of them, that they the said Company have expended the full Sum of ten thousand Pounds towards making the said Basin or Dock, Reservoirs, Bridges, Roads, or other Works by this Act authorized or intended to be done; the said Commissioners, or any four or more of them, shall and may direct the Collector of his Majesty's Customs at the said Port of *Kingston upon Hull*, for the Time being, to pay to such Person or Persons as the said Company shall, under their Seal, authorize to receive the same, out of any Monies that shall come to the Hands of such Collector for the Duty of Customs, the Sum of five thousand Pounds, as Part of the said Sum of fifteen thousand Pounds; and when it shall be proved to the Commissioners, or any four or more of them, that the said Company have expended in the Works aforesaid, or any of them, the full Sum of twenty thousand Pounds, over and above the said Sum of five thousand Pounds, then the said Commissioners, or any four or more of them, shall, in Manner and Form aforesaid, direct the said Collector to pay, as aforesaid, the Sum of five thousand Pounds, in further Part of the said Sum of fifteen thousand Pounds; and that when it shall be made appear to the said Commissioners, or any four or more of them, by the Report of two able and experienced Engineers or Surveyors, one of whom to be nominated by the Commissioners of his Majesty's Customs, under the Hands of any four or more of them, and the other by the said Dock Company, under their Seal, that the said Company have completed the said Works, the said Commissioners, or any four or more of them, shall, in Manner and Form aforesaid, direct the said Collector to pay, as aforesaid, the further Sum of five thousand Pounds, being in full of the said Sum of fifteen thousand Pounds: And in case such Engineers or Surveyors shall differ in Opinion, and shall declare the same in Writing, under their Hands, they shall immediately, by such Writing, name some skilful Person to be the Umpire between them, who shall determine the Matter in Dispute, and his Determination whether the said Works are so completed shall be final and conclusive.

The Sum of 15,000l. granted out of the Revenues of Customs, to be applied in Aid of the Works.

XXIX. And, for further enabling the said Company to carry on the necessary Works before mentioned, be it further enacted by the Authority aforesaid, That it shall be lawful for them the said Dock Company to raise and contribute amongst themselves a Sum of Money for that Purpose, provided that the said Sum so to be raised doth not exceed the Sum of eighty thousand Pounds in the Whole (except as herein-after mentioned), and that the same be divided into Shares of five hundred Pounds each; and that no Person or Persons, Body Corporate and Politick, subscribing thereto, or becoming a Proprietor in such Works, shall become a Proprietor or Proprietors of less than one Share; and that the several Shares, when so subscribed, shall be, and they are hereby vested in the Persons and Bodies Corporate and Politick herein-before described, and their several and respective Successors, Executors, Administrators, and Assigns, to their and every of their proper Use and Behoof, in proportion to the Sum they and each of them shall severally and respectively subscribe and pay thereunto; and all and every the said Shares shall be deemed to be personal Estate, and transmissible as such, and not of the Nature of real Property; and the said Persons, Bodies Corporate and Politick, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe and pay in the Sum of five hundred Pounds, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the Works aforesaid, shall be intitled to and receive, after the said Works shall be completed, the entire and net Distribution of one proportionable Part, according to the Sum so subscribed, of the Profits and Advantages that shall and may arise and accrue by virtue of the Sum and Sums of Money to be raised, recovered, or received by the Authority of this Act; and so in proportion for any greater Number of Shares; and each of the said Persons, Bodies Corporate and Politick, having such Property of one five hundred Pounds Share in the said Undertaking, and so in Proportion as aforesaid, shall bear and pay an adequate proportional Sum of Money towards carrying on the said Undertaking, in Manner herein-after enacted and appointed.

Company empowered to raise Money amongst themselves.

XXX. And be it further enacted by the Authority aforesaid, That all and every Person or Persons, Bodies Corporate and Politick, who shall, by virtue of this Act, have subscribed or undertaken for one five hundred Pounds Share of the said eighty thousand Pounds, shall be deemed a Proprietor or Proprietors for so much, and shall have a Vote in every publick Meeting to be held by the said Company by virtue of this Act; which Vote may be given by the said respective Persons, Bodies Corporate and Politick, either by themselves or by their Proxy or Proxies (every such Proxy being a Proprietor in the said Undertaking), duly constituted under the Seal of the respective Bodies Corporate and Politick, and under the Hand and Seal, or Hands and Seals, of all other Proprietors; and such Vote or Votes by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal or Principals had voted in Person; and any Per-

Subscribers to have a Vote for every Share, by themselves or Proxies.

son:

son or Persons, Bodies Corporate and Politick, who shall have one or more such Share or Shares, shall have Liberty, by him, her, or themselves, or by his, her, or their Proxy or Proxies, regularly constituted as aforesaid, to give one Vote for each such Share, not exceeding ten such Shares for each such Body Corporate and Politick, and not exceeding two such Shares for any one other Proprietor; and whatever Question, Matter, or Thing, shall be proposed, discussed, or considered, in any publick Meeting of the said Company, to be held by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present, computing one Vote for every Share to the Extent aforesaid.

If a sufficient Number of the Company do not attend, the Meeting to adjourn. Additional Sum of 80,000l. to be raised, if necessary.

XXXI. Provided always, That if at any publick Meeting of the said Company there shall not be present, either as Principals or Proxies, Proprietors of forty-one Shares, then the said Meeting shall be deemed to be adjourned to that Day Sevensnight, at the same Place where such Meeting was appointed to be held.

Rates may be assigned for Payment.

XXXII. And be it further enacted by the Authority aforesaid, That in case the said Sum of eighty thousand Pounds, herein-before authorized to be raised, shall not be raised as aforesaid, or shall be found insufficient for the making and completing the said Basin or Dock, and Quay or Wharf adjoining thereto, Reservoirs, Sluices, Bridges, Roads, and other the Works hereby authorized to be made, and for all necessary Charges and Expences relating thereunto; then, and in such Case, it shall be lawful for the said Company to borrow and take up at Interest, on the Credit of the Rates and Duties by this Act granted, such Sum or Sums of Money as shall be sufficient to make up the said Sum of eighty thousand Pounds, so to be raised as aforesaid, and also such further Sum or Sums of Money, not exceeding in the Whole the Sum of twenty thousand Pounds, for completing and perfecting the said Works; and the said Company are hereby fully authorized and empowered to assign over the Rates and Duties arising by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Rates and Duties), as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to such Person or Persons, or their Trustees, who shall advance the same, by the following Words of Assignment, or by any other Words to the same Effect; *videlicet*:

Form of Assignment.

“BY virtue of an Act, made in the Fourteenth Year of the Reign of his Majesty King *George* the Third, for making and establishing lawful Quays or Wharfs in the Port of *Kingston upon Hull*, and other Purposes;” We the Dock Company at *Kingston upon Hull*, in consideration of the Sum of
of lawful *British* Money to us in Hand paid by
do assign unto the
his, her, or their Executors, Administrators, Successors, and Assigns, all and
singular the Rates and Duties arising by virtue of the said Act, and also all the Estate, Right, Title, and
Interest, of the said Company, of, in, and unto the same, to hold unto the said
his, her, or their Executors, Administrators, Successors, and Assigns, until the said Sum of
together with the Interest for the same, after the Rate of *per Centum per Annum* shall
be repaid.”

And all and every Person and Persons, Bodies Corporate and Politick, to whom such Assignment or Assignments shall be made, shall be equally intitled to their Proportion of the said Rates and Duties, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof, with the Interest as aforesaid, without any Preference by reason of Priority of Assignment, or on any other Account whatsoever; and the Money so borrowed as aforesaid shall be applied for making, completing, and maintaining, the said Basin or Dock, Quay or Wharf adjoining thereto, Reservoirs, Sluices, Bridges, Roads, and other Works authorized by this Act, and in carrying the same, and the several Provisions, Powers, and Authorities, herein contained, into effectual Execution.

Assignment to be entered in a Book.

XXXIII. And be it further enacted by the Authority aforesaid, That Entries or Memorials of every such Assignment or Assignments, containing the Dates, Names of the Parties, and Sums of Money borrowed, shall be made in a Book or Books to be kept for that Purpose by the Clerk to the said Company; which said Book or Books shall and may be perused, at all reasonable Times, by any of the Proprietors or Creditors of the said Undertaking, or other Persons interested therein, without Fee or Reward; and that all and every Person and Persons, Body Corporate or Politick, to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from Time to Time, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the said Principal and Interest Money thereby secured, to any Person or Persons, Body Corporate or Politick whatsoever, by indorsing on the Back of such Security, before one credible Witness, the following Words, or Words to the like Effect; *videlicet*:

Form of Transfer.

“I Do transfer this Assignment, with all my Right and Title to the Principal Money hereby secured, and to all the Interest now due, or hereafter to be due, unto *C. D.* his, her, or their Executors, Administrators, Successors, and Assigns. Dated this
Day of
Witness *E. F.* *A. B.*”

Which Transfer shall, within twenty Days after the Date thereof, be produced and notified to the said Clerk, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sums of Money therein transferred in the said Book or Books, to be kept for the entering the said original Assignments, for which the said Clerk shall be paid the Sum of one Shilling; and after such Entry made, but not until then, every such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may assign again, and *toties quoties*; but in case any Sum so assigned shall not exceed the Sum of one hundred Pounds, it shall be lawful for the Person or Persons intitled to such Assignment respectively, by an Indorsement

ment of his, her, or their proper Names, without Witnesses, to transfer his, her, or their Property in such Assignment to any other Person or Persons, without an Entry to be made thereof in the said Book or Books; and all such last-mentioned Transfers or Assignments shall intitle such Assignee, his, her, and their Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may, in like Manner, assign or transfer the same again, and *toties quoties*; and it shall not be in the Power of any such Person or Persons, who shall have made any such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

XXXIV. And it is hereby further enacted by the Authority aforesaid, That the Interest of the Money which shall be borrowed by Mortgage of the Rates or Duties as aforesaid shall be paid Half-yearly to the several Parties intitled thereto, in Preference of any Interest or Dividends due and payable by virtue of this Act to the said Company, or any of them, and shall, from Time to Time, be fully paid and discharged, or provided for, before the yearly or other Interest or Dividends due to the said Company, or any of them, shall be paid, made, or divided.

XXXV. And be it further enacted by the Authority aforesaid, That it shall be lawful for the Mayor and Burgesses of the Town or Borough of *Kingston upon Hull*, the Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House of Kingston upon Hull*, and the Master, Brethren, and Sisters of the House or Hospital, nigh *Kingston upon Hull*, called *God's House of Hull*, and they the said three Bodies Corporate and Politick are hereby, each of them, severally and respectively fully authorized, enabled, and empowered, with the Money or Effects belonging to such respective Corporations, to become Subscribers to or to purchase Shares in the Undertaking established by this Act, on account of and for the Benefit of their respective Corporations; any Ordinance, Statute, Law, Charter, Grant, or other Matter or Thing to the contrary thereof in any-wise notwithstanding.

XXXVI. Provided always, and it is hereby enacted and declared, That the said Master, Brethren, and Sisters of the House or Hospital, nigh *Kingston upon Hull*, called *God's House of Hull*, shall be, and they are hereby declared incapable of holding or being possessed of more than two such Shares, and the said other two Bodies Corporate and Politick shall be, and they are hereby declared incapable of holding, or being possessed of, more than ten such Shares each, at one and the same Time, except such respective Shares shall come by Gift or Bequest; and that no Person or Persons, Body Corporate and Politick, who shall purchase any such Share or Shares, shall be admitted to vote for the same, either by themselves or Proxy, until such Person or Persons, Body Corporate and Politick, shall have been in Possession of such purchased Share or Shares for the full Term of six Calendar Months.

XXXVII. And be it further enacted by the Authority aforesaid, That the said Company shall have Power, from Time to Time, to call for, audit, and settle, all Accounts of Money laid out and disbursed for the Purposes of this Act with the Receivers and other Officers and Persons employed under the Authority of this Act; and to make such Call or Calls of Money from the Proprietors of Shares, to defray the Expences of, or carry on, the Works authorized or directed by this Act to be done by the said Company, as they, from Time to Time, shall find wanting and necessary for those Purposes; so that no Call do exceed the Sum of ten Pounds for every hundred Pounds, and so as no Call to that Amount be made but at the Distance of four Calendar Months at the least from each other; which Money, so called for, shall be paid to such Person or Persons, and in such Manner, as the said Company shall, from Time to Time, appoint or direct, for the Use of the said Undertaking; and every the Owner or Owners of one or more Share or Shares in the said Undertaking shall pay his, her, or their Shares or Proportions of the Monies to be called for as aforesaid, at such Time and Place as shall be appointed for that Purpose, of which two Calendar Months Notice at least shall be given, by publishing the same in the said Church of the *Holy Trinity* in the said Town, and by Notice in Writing to be affixed on the Exchange, or other publick Place, in the said Town, and by publishing the same in the *York Courant*, or other News-paper as aforesaid: And if any Person or Persons, Body Corporate or Politick, shall neglect or refuse to pay their rateable or proportionable Part or Share of the said Money to be called for as aforesaid, at the Time and Place to be appointed by the said Company, the Person or Persons, Body Corporate or Politick, so neglecting or refusing, shall forfeit the Sum of five Pounds for every hundred Pounds of their respective Share and Shares, Parts and Interests, in the said Undertaking and Premises: And in case such Person or Persons, Body Corporate and Politick, shall neglect to pay his, her, or their rateable or proportionable Part or Share of the said Money to be called for as aforesaid for the Space of two Calendar Months after the Time appointed for Payment thereof, as aforesaid, then the Person or Persons, Body Corporate or Politick, so neglecting, shall forfeit his, her, and their respective Shares, Parts, and Interests, in the said Undertaking and Premises, to be recovered by an Action at Law, to be brought in the Name of the said Company, against the Party or Parties so neglecting, his, her, or their Executors, Administrators, Successors, or Assigns; all which Forfeitures shall go to the rest of the Proprietors, their Successors and Assigns, in Trust for, and for the Benefit of, all the rest of the said Proprietors, in proportion to their respective Interests.

XXXVIII. Provided always, That no Advantage shall be taken of any Forfeiture of any such Share or Shares till after Notice in Writing shall have been left with some Officer of the respective Corporation, or personal Notice to the Owner, or Notice in Writing left at his or her usual or last Place of Abode, nor unless the same shall be declared to be forfeited at some Meeting of the said Company, to be held within six Calendar Months next after such Forfeiture shall happen to be made; and every such Forfeiture shall be an Indemnification to and for every Proprietor and Proprietors so forfeiting, against all Action and Actions, Suits or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract, or other Agreement, betwixt such Proprietor or Proprietors so forfeiting and the rest of the Proprietors, with regard to carrying on the said Works.

XXXIX. And be it further enacted by the Authority aforesaid, That if the Owner or Owners of any such Share or Shares shall die before such Call or Calls shall have been made for the full Sum to be advanced

The Interest of the Money borrowed to be paid Half-yearly.

The Mayor and Burgesses, &c. authorized to purchase Shares in the Works made by this Act.

The Charter House to hold two Shares, and the Corporation to Shares each.

Company may make Calls; but at Four Months Distance at least.

Persons omitting to pay their Proportions to forfeit 5l. per Cent.

and if for two Months, the Shares to be forfeited.

No Share to be deemed forfeited till after six Months Notice given to the Person concerned.

When Subscribers die before their Shares be

Completed, Executors may complete the Payment.

on each Share, which he, she, or they, shall have been possessed of or intitled to, without having made Provision by Writing, or otherwise, how such Share or Shares shall be disposed of, and the Money paid in upon Calls for the future; then, and in such Case, the Executors or Administrators of any such Owner dying, and the Trustee or Trustees, Guardian or Guardians, of any Infant, or other Person or Persons whatsoever, intitled to the Estate or Effects of such Owner deceased, shall be indemnified against all and every such Infant or Infants, or other Persons whatsoever, for paying any Sum of Money when called for as aforesaid, to complete every such Subscription: And if such Owner deceased shall not have left Assets sufficient, or in case the Executor, Administrator, Trustee, or Guardian, shall refuse or neglect to answer such Calls and Payments, the said Company shall be, and are hereby impowered, authorised, and required, to admit any other Person or Persons to be Proprietor or Proprietors of the Share or Shares of such Owner deceased, on Condition that he, she, or they, so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner, or the Trustee or Trustees, Guardian or Guardians, of any Infant, or others, intitled to his or her Effects, the full Sum and Sums of Money which shall have been paid by such Owner in his or her Life-time, by virtue of any Call or Calls, or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for.

How Shares may be disposed of by the Proprietors.

XL. And be it further enacted by the Authority aforesaid, That it shall be lawful for the several Proprietors of any such Share or Shares, to sell and dispose thereof, subject to the Rules and Conditions herein mentioned; and any Purchaser or Purchasers shall, for his, her, or their Security, as well as that of such Proprietor or Proprietors, have a Duplicate or Duplicates of the Deed of Assignment or Conveyance made unto him, her, or them, and executed by such Person or Persons, of whom he, she, or they, shall purchase the same, and also by the Purchaser or Purchasers; one Part whereof, duly executed both by the Seller and Purchaser, shall be delivered to the Clerk to the said Company for the Time being, to be filed and kept for the Use of the said Company, and an Entry thereof shall be made in a Book or Books to be kept by the said Clerk for that Purpose, for which no more than one Shilling shall be paid; and the said Clerk is hereby required to make such Entry accordingly; and until such Duplicate of such Deed shall be so delivered unto the said Clerk, and filed and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, or Money raised by virtue of this Act, or any Interest for such Share, or any Vote as Proprietor or Proprietors.

XLI. And be it further enacted by the Authority aforesaid, That the said Shares shall be sold, assigned, and transferred, in the Form, or to the Effect following; to wit,

Form of the Sale and Transfer.

‘ I A. B. in consideration of paid to me by C. D. do hereby bargain, sell, assign, and transfer, to the said C. D. his, her, or their Executors, Administrators, Successors, and Assigns, Shares (as the Case is) in the Undertaking for making a Basin or Dock, Quay or Wharf, Reservoir, and other Works, in the Port of Kingston upon Hull, to hold to him the said C. D. his Executors, Administrators, and Assigns, subject to the same Rules and Orders, and on the same Conditions, that I held the same immediately before the Execution hereof; and I the said C. D. do hereby agree to accept thereof, subject to the same Rules, Orders, and Conditions.

‘ Witness our Hands and Seals the Day of in the Year of our Lord

After Dec. 31, 1774, Company may take Rates for Shipping.

XLII. And be it further enacted by the Authority aforesaid, That, in consideration of the great Charges and Expences which the making, building, erecting, and providing, such Basin or Dock, Quay or Wharf, Reservoirs, Sluices, Bridges, Roads, and Works, and the supporting, maintaining, and keeping, the same in Repair for the future, will amount unto, there shall be payable, and paid, from and after the said thirty-first Day of December, one thousand seven hundred and seventy-four, to the said Company, or to their Collectors or Deputies, for their Use, for every Ship or Vessel (the King's Ships of War, and other Ships and Vessels employed in his Majesty's Service, only excepted) coming into or going out of the said Harbour, Basin, or Docks, within the Port of Kingston upon Hull, or unlading or putting on Shore, or lading or taking on board, any of their Cargo, or any Goods, Wares, or Merchandise, within the said Port, by the Master or Commander, Owner or Owners, of every such Ship or Vessel, the several Rates or Duties of Tonage (according to the full of the Reach and Burthen) hereafter particularly rated and described; (that is to say)

Ships of War, &c. excepted.

The Rates.

For every Ship or Vessel coming to or going between the Port of Kingston upon Hull and any Port to the Northward of Yarmouth, in Norfolk, or any Port to the Southward of the H'sy Island, for every Ton, Two pence.

For every Ship or Vessel coming to or going between the Port of Kingston upon Hull and any Port or Place between the North Foreland and Snettland, on the East Side of England, except as above, for every Ton, the Sum of Three-pence.

For every Ship or Vessel trading between the said Port of Kingston upon Hull and any other Port or Place in Great Britain, not before described, for every Ton, the Sum of Six-pence.

For every Ship or Vessel trading between the said Port of Kingston upon Hull and any Port or Place in the Baltic Seas, and all other Ports or Places above the Sound, for every Ton, the Sum of one Shilling and Three-pence.

For every Ship or Vessel trading between the said Port of Kingston upon Hull and any Port or Place in Denmark, Sweden, or Norway, below Elsinure, or any Port or Place in Germany, H'sland, Flanders, France, to the Eastward of Ushant, Ireland, the Islands of Guernsey and Jersey, for every Ton, the Sum of Ten-pence.

For

For every Ship or Vessel trading between the said Port of *Kingston upon Hull* and any Island or Port or Place of *Europe* to the Westward of *Ushant*, without the *Streights of Gibraltar*, for every Ton, the Sum of one Shilling and Three pence.

For every Ship or Vessel trading between the said Port of *Kingston upon Hull*, and every Port or Place in the *West Indies*, *North* or *South America*, *Africa*, *Greenland*, or any Place to the Eastward of the *North Cape* of *Norway*, all Places within the *Streights of Gibraltar*, and all Islands and Places in the Ocean to the Southward of *Cape Saint Vincent*, not herein-before named, for every Ton, the Sum of one Shilling and Nine-pence.

For every foreign Ship or Vessel coming to or going (with Merchandise) from any of the above-named Ports or Places, Double the Rates, Tonnage, or Duties, above-mentioned, unless the said Ships belong to *British Owners*.

For every Ship or Vessel sailing Coastwise or otherways, and coming into the said Haven in Ballast to be laid up, for every Ton (Coasting-duty included), the Sum of Six-pence.

Which Rates or Duties shall be and are hereby vested in the said Dock Company as their own proper Monies, and to and for their own proper Use and Behoof, for the Purposes aforesaid, and shall be paid at the Time of such Ships or Vessels Entry inwards, or Clearance or Discharge outwards; or, in case any Ships or Vessels shall not enter as aforesaid, then, at any Time before such Ships or Vessels shall proceed from the said Port, at the Custom-house in the said Port; so as no Ship or Vessel shall be subject or liable to the Payment of the said Rates or Duties, or any of them, more than once for the same Voyage, both Out and Home, notwithstanding such Ship or Vessel may go out and return with a Loading of Goods or Merchandise.

Rates vested in the Company.

XLIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act shall extend to charge any Ship or Vessel with the Rates or Duties aforesaid which shall be forced into the said Port by the Enemy, or by receiving Damage at Sea, or otherwise, and shall in the said Port discharge or unlade in order to repair any Damage sustained by such Ship or Vessel, and shall relade the Goods and Merchandises so discharged or unladen, unless such Ship or Vessel make use of the said Dock or Basin.

Ships drove in by Strefs of Weather, or Enemy, &c. not to be liable to Rates.

XLIV. Provided also, and be it enacted by the Authority aforesaid, That this Act shall not extend to charge any Ship or Vessel with the Rates or Duties aforesaid, or any Part thereof, which shall come or go Coastwise, from or to any Port or Place in *Great Britain*, to or from any Place up the Rivers *Trent* or *Ouze*, within the Limits of the Port of *Hull*, as now used, or to or from any other Place up the said Rivers *Trent* or *Ouze*, or any other River which falls into the said Rivers, or either of them, or which shall trade between any such Port or Place in *Great Britain* and any such Place as aforesaid, within or up the said Rivers, or either of them, unless such Ship or Vessel shall come into or go out of the said Basin or Dock, or any Part of the said Harbour or Haven called *Hull Haven*; or shall use the said Basin or Dock, or Quays, within the said Harbour; or shall unlade or put on Shore, or lade or take on Board, any Goods, Wares, or Merchandise, or any Part of the Cargo of any such Ship or Vessel, within any Part of the River *Humber*; or to charge with the said Rates or Duties, or any Part thereof, any such Coasting Ship or Vessel which shall go into, or by the Officers of the Customs be called into, the said Harbour or Haven, for the sole Purpose of being entered or cleared at the Customhouse there.

Coasting Vessels not to pay, unless they come into the Basin.

XLV. Provided also, and be it further enacted and declared, That all Goods, Wares, and Merchandise, which shall be landed or discharged upon any of the Quays or Wharfs which shall be erected by virtue of this Act, shall be liable to pay, and shall be charged and chargeable with the like Rates of Wharfage and Payments as are usually taken or received for any Goods, Wares, or Merchandise, loaded or discharged upon any Quays or Wharfs in the Port of *London*, and shall be paid to the respective Company, and Owners of the said Quays or Wharfs so to be erected as aforesaid, in like Manner as the Rates and Duties established by this Act are hereby directed to be paid.

Wharfage Rates.

XLVI. And be it further enacted by the Authority aforesaid, That all Ships and Vessels trading or coming to or from the said Port, or to or from any of the Ports and Places before mentioned, and liable to the Payment of the Rates or Duties of Tonnage by this Act imposed, shall be measured in Manner following; (that is to say,) The Length shall be taken on a straight Line, along the Rabbet of the Keel of the Ship, from the Back of the Main Stern Post to a perpendicular Line from the Fore Part of the Main Stem under the Bow-sprit, from which subtracting three-fifths of the Breadth, the Remainder shall be esteemed the just Length of the Keel, to find the Tonnage; and the Breadth shall be taken from the Outside of the Outside Plank, in the broadest Place of the Ship, be it either above or below the Main Wales, exclusive of all Manner of doubling Planks that may be wrought upon the Sides of the Ship; then multiplying the Length of the Keel by the Breadth so taken, and that Product by half the Breadth, and dividing the Whole by ninety-four, the Quotient shall be deemed the true Contents of the Tonnage; according to which Rule the Tonnage of all such Ships and Vessels shall be measured and ascertained, and the several Rates or Duties of Tonnage shall thereby be computed and collected accordingly; any Custom, Practice, or Usage to the contrary notwithstanding.

How Vessels shall be measured.

XLVII. And be it further enacted by the Authority aforesaid, That it shall be lawful for the Collector or Collectors, or any other Person or Persons authorized or deputed for that Purpose by the said Company, to go on Board any Ship or Vessel within the said Port, to take the Dimensions of such Ship or Vessel in the Manner herein-before directed, and to demand, collect, and receive the said Rates or Duties of Tonnage, by this Act directed to be paid for such Ship or Vessel; and upon Non-payment thereof, such Collector or Collectors, Person or Persons, shall and may seize and distrain every such Ship or Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the same detain and keep, until the Rates or Duties due or payable on account thereof, and all Charges incurred by

Persons authorized to go on Board to measure, and collect the Duties.

such Seizure and Distress, shall be fully satisfied and paid; and in case of Neglect or Delay in making such Payment for the Space of three Days after any such Distress or Distresses shall be taken as aforesaid, that then it shall be lawful for the said Collector or Collectors, or other Person or Persons as aforesaid, or any of them, to cause such Distress or Distresses to be appraised by two or more sufficient Persons not interested therein, to be appointed by the said Company, and afterwards to sell the same, and therewith to satisfy himself or themselves, as well for and concerning the said Rates or Duties of Tonage so neglected or delayed to be paid, for which a Distress shall have been taken as aforesaid, as for his or their reasonable Charges and Expences in the taking and detaining such Distress or Distresses, and selling the same, or any Part thereof, rendering the Overplus (if any) to the Master or Commander of such Ship or Vessel, in or from which such Distress or Distresses shall be so taken.

Penalty on Persons refusing Admeasurement, or eluding Payment of Duties.

XLVIII. And be it further enacted, That if any Master, Commander, or other Person taking upon himself the Command, or appearing to be Master or Commander, or any Owner, Factor, or Consignee of any Ship or Vessel, shall at any Time refuse to have his Ship or Vessel measured as aforesaid, or shall elude or evade the Payment of any Rates or Duties hereby granted, by any Method whatsoever; every Master, Commander, or other Person aforesaid, shall, for every such Offence, forfeit to the said Company the Sum of ten Pounds, and shall also stand charged with and be liable to the Payment of the said Rates and Duties.

Customer not to discharge any Vessel till Duties are paid.

XLIX. And, to the Intent that the said Rates or Duties may be duly answered and paid, be it further enacted by the Authority aforesaid, That no Customer, Collector, Receiver of Entries of Ships, Surveyor, Searcher, or Waiter, or other Officer whatsoever, of or concerning the Customs of the said Port of *Kingston upon Hull*, shall hereafter give or make out any Coquet, or other Discharge, or take any Report Outwards, for any Ship or Vessel trading or coming to the said Port, until the Rates, Duties, and Payments hereby granted or payable, by the Master or other Person taking Charge of such Ship or Vessel, according to the Tenor and true Meaning of this Act, shall be paid unto the respective Collectors or Officers appointed to receive the same as aforesaid; and that such Master or Masters, or other Persons taking Charge of such Ship or Vessel, shall produce an Acquittance, under the Hand of such Collector or Officer, testifying the Receipt thereof; which Receipt such Collector, or other Officer, is hereby required to give without Fee or Reward, upon Pain of Forfeiture of twenty Pounds to the said Company; and that every Customer, Collector, Receiver of Entries of Ships, Surveyor, Searcher, Waiter, or other Officer of or concerning the said Customs, making Default in any of the Matters enjoined them by this Act, shall forfeit to the said Company the like Sum of twenty Pounds; both which Sums, together with the Costs of Suit, shall be recovered in any of his Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Effoin, Wager of Law, Privilege, or Protection, shall be allowed.

Company may lessen the Duties, and raise them again.

L. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That it shall be lawful for the said Company, at any Time or Times, upon examining and inspecting the Accounts to be kept of, for, or concerning the said Basen or Dock, Quay or Wharf, Reservoirs, Sluices, Bridges, Roads, and other Works and Conveniencies to be made, erected, and maintained by virtue and in pursuance of this Act, to lessen, lower, diminish, or reduce the Rates and Duties of Tonage hereby granted and made payable, or any of them, and also to advance and raise the same again, in such Manner as to them shall from Time to Time seem meet and expedient, so as the said Rates or Duties, when so advanced and raised again, do not exceed the Rates or Duties herein-before granted; and the Rates or Duties so lessened or reduced, shall and may, from Time to Time, be collected, received, or recovered, by such Ways and Means as the original Rates or Duties hereby granted are authorized to be collected, received, or recovered; any Thing herein contained to the contrary notwithstanding.

Part of the Tonage Rates to be repaid the Masters of Ships.

LI. And be it further enacted by the Authority aforesaid, That the said Rates or Duties of Tonage to be collected from Ships or Vessels as aforesaid (except only such Ships or Vessels as shall pass Coastwise, and be called *Coasting Vessels*), shall be deemed and taken to be a Port Charge, and two-third Parts thereof shall be repaid to the Master, Owner, or Ship's Husband, of such Ship or Vessel, by the Merchant or Freighter, Merchants or Freighters, or by his or their Agent or Agents, or by the Shipper or Shippers, Receiver or Receivers, of such Goods as may be taken on Board of any Ship or Vessel liable to the said Rates or Duties of Tonage, in case such Ship or Vessel hath a complete Loading, but if not, then only such a Part of the said two-thirds as the Tonage of the Goods on Board bears in Proportion to the said Ship's complete Loading; and in case of Refusal to repay such Rates and Duties, or such a Proportion thereof as aforesaid, the same shall and may be recovered by Action at Law, as in other Cases of Debt.

Collectors and Treasurers to keep fair Accounts,

LII. And it is hereby further enacted by the Authority aforesaid, That all and every the Collectors, Receivers, and Treasurers, to be appointed by virtue of this Act, shall, from Time to Time, keep fair and regular Accounts of all the Monies to be received by virtue of and under the Authority of this Act, and also of the Monies from Time to Time to be issued, paid, and applied out of the same, expressing therein the Time when, and the Name of the Person or Persons from or to whom, all such Monies are or shall be received, issued, paid, and applied respectively; and also shall, from Time to Time, when thereunto required by the said Company, upon giving ten Days Notice, to be left at the Dwelling-house or usual Place of Abode of such respective Collector, Receiver, or Treasurer, attend the said Company, at such Time and Place, after the said ten Days, as shall for that Purpose be appointed, and then and there produce to the said Company all such Books, Accounts, and Vouchers, concerning and relating to such Receipts and Payments as aforesaid, as the said Company shall order, direct, or appoint to be produced; and in case any such Collector, Receiver, or Treasurer, shall, upon such Notice given, neglect or refuse to attend, and produce such Books, Accounts, and Vouchers, as aforesaid, he and they shall, for every such Offence, forfeit and pay to the said Company the Sum of twenty Pounds.

and produce their Vouchers, on Penalty of 20l.

Company's annual Meeting.

LIII. And be it further enacted by the Authority aforesaid, That the said Dock Company shall hold a General annual Meeting in the Guildhall of the said Town of *Kingston upon Hull*, on the Second Day

of *February* in every Year, except when such Day shall be *Sunday*, and in such Case on the Day following; at which General annual Meeting the said Company shall call for, audit, and settle all Accounts of Money received, laid out, and disbursed, in the preceding Year, by virtue and for the Purpose of this Act; and shall thereupon set down, ascertain, fix, and declare, whether any and what Dividend shall be made from the Money which shall have arisen by virtue of this Act in the preceding Year amongst the Proprietors of Shares in the Undertaking authorised and established by this Act; and the Treasurer to the said Company shall, within two Calendar Months after every such annual Meeting, draw out a general Account, in Writing, of all the Receipts and Disbursements, as the same were at such Meeting settled and allowed, and of the Dividend then declared and fixed, and shall cause the same Account to be printed; and shall, upon Request, deliver a printed Copy thereof to the several Subscribers, or Persons intitled to Dividend; the Expence of printing whereof shall be paid and allowed out of the Money arising by virtue of this Act; and in case such Treasurer shall neglect, omit, or refuse to make out, or print, such Account, or shall not deliver the same upon such Request as aforesaid, he shall, for every Offence, forfeit to the said Company the Sum of Ten Pounds.

Treasurer to draw out a general annual Account;

which shall be printed, and delivered to the Subscribers, on Penalty of 10 l.

LIV. And be it further enacted by the Authority aforesaid, That the said Company shall, and they are hereby authorised and required, at their first Meeting, or at some subsequent Meeting, as soon afterwards as conveniently may be, and in like Manner annually afterwards, at a Meeting on the Twenty-fifth Day of *March*, but if on a *Sunday*, then the Day following, to chuse, by Ballot, nine Persons from amongst themselves; and that they the said Company shall likewise, at such respective Meeting, under their Seal, nominate and appoint six Inhabitants of the said Town, not being Members of the said Company, or of either of the said Corporations; which fifteen Persons, together with the Mayor of the said Town for the Time being; two of the Aldermen of the said Town, to be chosen and appointed by the Mayor and Aldermen of the said Town, or the major Part of them, in Council assembled; the acting Warden of the said Guild or Brotherhood for the Time being; and one elder Brother and one Assistant of the said Guild or Brotherhood, to be chosen and appointed by the Guild or Brotherhood; shall be Commissioners for the several Purposes herein-after mentioned; and each Commissioner, to be chosen by virtue of this Act, shall continue in the Office of Commissioner, until the twenty-fifth Day of *March* next after his being so chosen or appointed, and until another shall be chosen in his Stead.

Commissioners appointed.

LV. And be it further enacted by the Authority aforesaid, That if any of the nine Commissioners, so to be chosen by Ballot, or if any of the six Commissioners so to be appointed by the said Company, shall, before the Expiration of the Term for which they shall be respectively chosen, die, or remove, from the said Town of *Kingston upon Hull*, or refuse to act, or shall become an Alderman or elder Brother, or Assistant of the said Guild or Brotherhood; then, and in every such Case respectively, it shall be lawful for the said Company, and they are hereby required, from Time to Time, within one Calendar Month next after such Death, Removal, or Refusal to act, or Appointment, as aforesaid, shall be known, to chuse or appoint, by the respective Methods aforesaid, a Commissioner, in the Room and Stead of each Commissioner who shall have been chosen by Ballot, or appointed as aforesaid, and so dying, removing, or refusing to act, or being chosen Alderman, or Member of the said Guild or Brotherhood as aforesaid; and that upon the Death, Removal, or Refusal to act, of any of the said Commissioners, to be appointed by the said Corporations respectively, it shall be lawful for the said Mayor and Aldermen, and for the said Guild or Brotherhood, or the major Part of them respectively, and they are hereby required, from Time to Time, within one Calendar Month after such Death, Removal, or Refusal to act, shall be known, by a Writing, under their common Seal respectively, to nominate and appoint another Person of such of the said Bodies, to which the Commissioners so dying, removing, or refusing to act, shall belong, in the Room of such Commissioner last-mentioned; and every such new Commissioner shall have the like Power and Authority as the Person in whose Stead such new Commissioner shall be so chosen was vested with.

New Commissioners to be chosen.

LVI. Provided always, and it is hereby enacted and declared, That the Baron or Dock Master, or any other Officer authorised or appointed by virtue of this Act, shall be, and he and they is and are hereby declared to be incapable of acting as a Member of the said Dock Company, or as a Commissioner under this Act, whilst he and they shall remain in their respective Office.

Dock Master, &c. incapable of acting as a Member, whilst he remains in Office.

LVII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any thirteen or more of them, shall meet together for the first Time in the Guildhall in *Kingston upon Hull* aforesaid, upon the first *Monday* after their Appointment, between the Hours of Nine in the Forenoon and Two in the Afternoon, and proceed to the Execution of the Powers and Authorities by this Act given to and vested in them, and shall then, and from Time to Time afterwards, adjourn themselves to meet at the same Place, or at such other Place within the said Town, as they, or any thirteen or more of them, shall think fit, for the like Purposes; and if at any such Meeting there shall not appear a sufficient Number of Commissioners to act, or in case the Commissioners at any Time assembled shall not adjourn themselves; then, and from Time to Time, as often as the Case shall happen, they shall be deemed adjourned to that Day Sevensnight, at the Place where such Meeting was appointed to be held; and the said Commissioners, or any thirteen or more of them, shall, moreover, and they are hereby directed to assemble themselves in the said Guildhall, for the Purposes of this Act, upon the first *Wednesday* in every Month; and that all Orders and Determinations of the said Commissioners shall be made at Meetings held by virtue of this Act, and not otherwise; and that no such Order or Determination shall be revoked or altered at any subsequent Meeting but by Order of the Majority of thirteen Commissioners then present.

Time and Place of Commissioners Meetings.

LVIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any thirteen or more of them, shall, and they are hereby authorised and required, from Time to Time, as Occasion shall be, to enter into Contracts, in Writing, and make Bargains with, and give Directions to, proper Artificers, Handicraftmen, and other Workmen, for the Performance and due Execution of the Works which shall, from Time to Time, be directed by the said Company to be done and performed

Commissioners to make Contracts.

by

by virtue and in pursuance of this Act; every such Contract to specify the several Works to be done, the Prices to be paid for the same, and the Time or Times when or within which the said Works are to be completed, and the Forfeitures or Penalties to be borne or suffered for the Non-performance thereof; and being signed by thirteen or more of the said Commissioners, and by the Person or Persons contracting to perform such Works, shall be valid and effectual in the Law, and carried into Execution, and the Performance thereof shall and may be enforced by Action at Law, or otherwise, by and in the Name or Names, and at the Suit of, or against the Commissioners for the Time being, and the Contractor or Contractors, his, her, or their Executors or Administrators, according to the Tenor and true Meaning thereof; and in all Cases where any pecuniary Penalties shall be recovered of and from any Contractor or Contractors, the same shall be paid to the Treasurer appointed by virtue of this Act, and applied for the Purposes of carrying on the Works directed by this Act.

Commissioners
may compound
Penalties of
Contracts.

LIX. Provided always, and it is hereby further enacted and declared, That it shall be lawful for the said Commissioners, or any thirteen or more of them, from Time to Time, as they shall think fit, to compound and agree with any Person or Persons against whom any Action or Actions, Suit or Suits, shall have been brought for any Penalty or Penalties, on account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they, or any thirteen or more of them, shall think proper, so as the Sum to be compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and all the Costs, Charges, and Expences, which shall be occasioned thereby.

Commissioners
to appoint
Watchmen, &c.

LX. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any thirteen or more of them, from Time to Time, as they shall find it expedient, to appoint a Clerk or Clerks, Watchmen, and such other Officers and Servants as they shall find necessary, for the Performance, due Ordering, and Preservation of the Works to be carried on, built, or provided, under the Powers of this Act, and from Time to Time to remove them, or any of them, and appoint others in their Stead, or in the Room of such as shall die, or be incapable of performing their Office; and shall and may appoint all such Clerks, Watchmen, and others so employed, such reasonable Salaries and Allowances, as they the said Commissioners, or any thirteen or more of them, shall think proper; which Salaries and Allowances shall be paid by the said Company.

Commissioners
to make Bye-
laws.

LXI. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any thirteen or more of them, from Time to Time, to make, ordain, and establish such Orders, Rules, and Bye-laws, for the good Government of the said Commissioners, and of all Clerks, Engineers, Surveyors, Workmen, Watchmen, Lightermen, Labourers, and others, appointed or employed under or by virtue of this Act, and for the better regulating, governing, managing, and using, the several Works, Matters, and Things, by this Act authorised and directed to be made, done, and performed, as well whilst the same are doing, as after they shall be finished and completed; and for the more safe and convenient shipping and lading, landing and discharging, carrying and conveying, laying and depositing, of Goods, Wares, and Merchandise, upon, to or from the said Quays or Wharfs, and for the better governing and regulating Porters, Carters, and Carmen, and others, carrying Goods, or using or driving Horses, Trucks, Carts, Sledges, Waggons, Drays, or other Carriages, for conveying Goods, Wares, or Merchandise, to or from the said Quays or Wharfs, and for preventing Damage being done to any such Goods, Wares, or Merchandise, by the issuing of Water through Spouts from Houses or Buildings; and also, from Time to Time, as they shall see occasion, to repeal, add to, amend, or alter, such Rules, Orders, and Bye-laws, as to them the said Commissioners, or any thirteen or more of them, shall seem meet, fitting, and requisite; and to fix and appoint reasonable pecuniary Penalties, not exceeding forty Shillings, for the Non-observance, Non-performance, or other Breach of all or any such Rules, Orders, or Bye-laws, or any Part of them; and also to make such other Orders, Rules, and Regulations, as shall be necessary or expedient for the due Execution of this Act; and the said Commissioners, or any thirteen or more of them, shall cause the said Rules, Orders, and Bye-laws, to be printed, and distributed in the Town of *Kingston upon Hull*, and affixed upon or near to some publick and conspicuous Part of each Quay or Wharf, and upon some other publick and conspicuous Places in the said Town; and all such Penalties shall be recovered and levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the Mayor, or any Alderman, of the said Town of *Kingston upon Hull*, and applied to the Use of the said Company, rendering the Overplus (if any) to the Person whose Goods or Chattels shall be so distrained; and in case no sufficient Distress can be found, it shall be lawful for the said Mayor, or such Aldermen, to commit the Offender to the House of Correction for the said Town, there to be kept to hard Labour for any Time not exceeding one Calendar Month.

Bye-laws sub-
ject to the Con-
troul of the
Company.
Company may
inspect the
Bye-laws,
and alter or
annul them.

LXII. Provided always, That the Rules, Orders, and Bye-laws, so to be made by the said Commissioners, shall be, and are hereby declared to be subject to the Inspection and Controul of the said Company, in Manner herein-after mentioned.

LXIII. Provided always nevertheless, That it shall be lawful for the said Company, from Time to Time, when they shall think proper, at a Meeting assembled for that Purpose, of which fourteen Days Notice shall be previously given, in like Manner as other Notices of their Meetings are herein directed to be given, to inspect and consider the Bye-laws made by the said Commissioners; and, if they shall see fit, to annul or alter any of them, or to make others, for any the Purposes of this Act, or for regulating the Elections of Commissioners, or for reducing the Quorum of Commissioners to any Number not less than seven (which Quorum, when so reduced, shall have the like Powers and Authorities, to all Intents and Purposes, by virtue of this Act, as the said Commissioners, or any thirteen of them, are hereby invested with); and the Bye-laws so altered or made by the said Company, shall be put into Writing, and may from Time to Time, be varied, altered, or repealed, and others made in their Stead, at a Meeting of the said Company, to be held as aforesaid, but not by the said Commissioners, or otherwise; and all such

Bye-laws

Bye-laws as shall be made or constituted by the said Company shall, when signed by them, be binding to, and observed by, all Parties; and shall be sufficient in any Court of Law or Equity, to justify all Persons who shall act under the same.

LXIV. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any thirteen or more of them, to appoint Lamps to be erected at the most convenient Places upon or near the Quays or Wharfs, and cause the same to be lighted in the Afternoon of every Day, at such Hour or Hours as they the said Commissioners, or any thirteen or more of them, shall direct and appoint, from and after the first Day of *October* in each Year to the first Day of *April* immediately following, or at any such other Times, and in such other Manner, as they the said Commissioners, or any thirteen or more of them, shall think fit and proper.

Lamps to be lighted.

LXV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall steal, take away, or wilfully break, throw down, or damage any Lamp or Lamps that shall be set up by virtue of this Act, or shall wilfully extinguish the Light or Lights within the same, or damage the Iron or other Furniture thereof, it shall be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to seize, as also to and for any other Person or Persons to assist in seizing, the Offender or Offenders, by Authority of this Act, and without any other Warrant, to convey him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before any one of the Justices of the Peace of the said Town of *Kingston upon Hull*; and that such Justice shall proceed to examine, upon Oath, any Witness or Witnesses who shall appear, or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorized and required to administer); and that, if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or by the Testimony of any Witness or Witnesses, as aforesaid, he, she, or they, shall forfeit and pay the Sum of forty Shillings for each Lamp so broke, thrown down, or damaged, or for every Light so extinguished, as aforesaid, and, moreover, shall make full Satisfaction to the said Commissioners, or to such Person as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and that in case such Offender or Offenders shall not, on Conviction, pay such Forfeiture, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them, to the House of Correction for the said Town, for the Space of two Calendar Months; and that such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they, shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

Penalty on stealing or breaking Lamps.

LXVI. And it is hereby further enacted by the Authority aforesaid, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage, any of the said Lamps, so to be set up as aforesaid, or the Irons, or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every such Case, it shall be lawful for any one of the Justices of the said Town for the Time being, upon Complaint to him made by any one or more credible Witness or Witnesses, to summon before him the Party or Parties who shall be complained of for doing such Damage, as aforesaid; and, upon hearing the Allegations and Proofs on both Sides, or upon the Non-appearance of the Party or Parties so complained of and summoned, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice shall think reasonable; and, in case of Neglect or Refusal of the said Party or Parties to pay such Sum or Sums of Money, as awarded, within ten Days next after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods or Chattels; the Surplus (if any be), arising by such Sale, to be paid to him, her, or them, when demanded.

Persons accidentally breaking of Lamps, to make Satisfaction on Demand.

LXVII. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House* of *Kingston upon Hull*, and they are hereby impowered and required, from Time to Time, as Occasion shall be, to nominate and appoint a proper Person to be Dock and Haven Master, together with proper Assistants, with full Power and Authority to direct the mooring or removing of all Ships and Vessels coming into, lying, or being in the said Basin or Dock, or elsewhere, within the said Port or Haven: And in case the Owner, Master, Servant, or other Person having the Care of any such Ship or Vessel, shall refuse or neglect to moor or remove the same, according to such Direction, within twelve Hours after Notice to him or them given in Writing, or left on Board the said Ship or Vessel for that Purpose, that then it shall be lawful for the said Dock and Haven Master, or his Assistant or Assistants, and he and they is and are hereby required to moor or remove such Ship or Vessel, and the Charges and Expences thereof respectively shall be repaid, together with the Sum of forty Shillings for each Offence, by the Master or Owner of such Ship or Vessel, and may be recovered by the said Dock and Haven Master, in case of Non-payment thereof on Demand, by such Ways and Means as Penalties and Forfeitures are by this Act to be recovered; and the said Penalty, when recovered, shall be paid over to the Use of the said Company: And in case any Master, Commander, Mate, or other Person or Persons taking the Command of any Ship or Vessel, or the Owner, Agent, Consignee, or other Person or Persons whatsoever, shall obstruct or hinder the Mooring or Removal of any Ship or Vessel, such Person and Persons shall, for every such Offence, forfeit the Sum of ten Pounds; to be recovered and applied as the Penalty last above mentioned.

Trinity House to appoint a Dock Master.

Masters, &c. refusing to moor or remove Vessels, forfeit 40s.

and if any Master, &c. obstruct the mooring or removing of Vessels, he forfeits 10l.

LXVIII. Provided always, and be it enacted, That from and after the Time that the first Sufferance Quay or Wharf shall be erected or built, no more than three Ships or two-masted Vessels using the Sea, except the same shall respectively be under the Burthen of seventy-five Tons, shall lie in the same Tier, within the said Haven, for more than two Tides; and in case any such Ship or Vessel above the said Number of three Ships or Vessels, except as aforesaid, shall lie in the same Tier, within the said Haven, the Master or Owner of such Ship or Vessel shall forfeit and pay the Sum of five Pounds for every Tide that such Ship or Vessel shall lie in such Manner, within the said Haven, for more than two Tides; and if, after Complaint in Writing shall be made by any Person to the said Dock and Haven Master, such Ship or Vessel shall

Mooring of Ships or Vessels within the Haven to be regulated.

shall be suffered to lie in the same Tier above the said Number of three Ships or Vessels, within the said Haven as before mentioned, except as aforesaid, the said Dock and Haven Master shall likewise forfeit and pay the Sum of five Pounds for every Tide that such Ship or Vessel shall be so suffered to lie above two Tides after such Complaint shall be made to the said Dock and Haven Master.

Mooring of Ships or Vessels opposite to the Jettee to be regulated.

LXIX. Provided also, and be it enacted, That from and after such Time that the first Sufferance Quay or Wharf shall be erected or built, no more than three Ships or two-masted Vessels, of any Burthen whatsoever, using the Sea, shall lie at one Time in that Part of the said Haven opposite to the Jettee called *Chapel Lane Jettee*, or opposite to the Staith or Warehouse, now in the Occupation of *John Stephenson*, adjoining to a Staith called *Shields Staith*: And if any Ship or two-masted Vessel, over and above the Number of three, shall lie at one Time in that Part of the Haven above mentioned, the Master or Owner of such Ship or Vessel so lying, and the Dock and Haven Master suffering such Ship or Vessel so to lie, after Complaint to him made in Writing by any Person, shall respectively be subject to the same Penalties as herein-before prescribed, in relation to any Ship or Vessel lying in the same Tier above the Number of three, in any Part of the said Haven.

The Guild may remove the Dock and Haven Master.

LXX. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Guild or Brotherhood, from Time to Time, as they shall see Occasion, to remove the said Dock and Haven Master, or his Assistant or Assistants, from their Office, and appoint others in their Stead, or in the Stead of such as shall die, resign, or be incapable of performing their Office: And in case the Dock and Haven Master, and his Assistant or Assistants for the Time being, shall not, in mooring or removing of Ships or Vessels, act with that due Impartiality which the Nature of their Office shall require, or shall otherwise misbehave themselves in their Office, and Complaint shall be thereof made in Writing to the said Guild or Brotherhood by the Person thinking himself aggrieved, or his Agent, the said Guild or Brotherhood shall and may enquire into the Matter of Complaint, and, upon Proof of the Offence complained of, and that no proper Satisfaction has been made or tendered for the same, shall and may subject the Offender to a Penalty, not exceeding five Pounds for one Offence; or shall, if thereunto required by the said Commissioners, or any thirteen or more of them, discharge the Offender from his Office of Dock and Haven Master, or Assistant, as the Case may be, and shall, within fourteen Days then after, appoint another Person in his Room; and the Person so discharged shall be for ever afterwards incapable of being again appointed to the Office of Dock and Haven Master, or Assistant, except by Consent in Writing of the said Commissioners, or any thirteen or more of them: And in case the said Guild or Brotherhood shall, for the Space of fourteen Days, refuse or neglect to hear any such Complaint, or shall not grant proper Redress, according to the true Intent or Meaning of this Act, that then the Person aggrieved may appeal to the said Commissioners, or any thirteen or more of them, at their next or some subsequent Meeting, within fourteen Days then after, who are empowered and required to examine the Matter of Complaint, and to determine the same, and make such Orders therein, as the said Guild or Brotherhood might have done, both with respect to punishing the Offenders and appointing others to succeed them.

If the Guild neglect to hear Complaint for 14 Days, Persons aggrieved may appeal to the Commissioners.

LXXI. And be it further enacted by the Authority aforesaid, That the Treasurer to the said Company shall, and he is hereby required to pay annually, to the said Guild or Brotherhood, a Sum not exceeding the Sum of one hundred Pounds, to be by them applied as Salaries and Allowances to the Dock and Haven Master, and his Assistant or Assistants for the Time being; which Sum shall be allowed the said Treasurer in his Account.

200l. per Annum to be paid to the Trinity for Salaries to the Dock and Haven Master and Assistants. Annual Rent of 5s. for each Wharf, made payable to the Mayor and Burgessees.

LXXII. And be it further enacted by the Authority aforesaid, That one annual Rent of five Shillings of lawful Money of *Great Britain*, clear of all Charges and Deductions whatsoever, for or in respect of any present or future Taxes, Assessments, or Impositions, or other Matter, Cause, or Thing whatsoever, shall be issuing out of each and every Quay or Wharf to be made or erected by virtue of this Act, by any of the Proprietors of the said Staiths or Warehouses (except the said Staiths of which the said Mayor and Burgessees are to be deemed the Proprietors), to be paid or payable by the respective Proprietors thereof to the Mayor and Burgessees of the Town of *Kingston upon Hull* aforesaid, and their Successors, for ever, in lieu of, and as a full Recompence and Satisfaction for, their Right and Interest in and to the Soil of the said Port or Harbour of *Kingston upon Hull*, and of their Privilege of building Houses, Quays, and Staiths, within the same, the first Payment whereof to commence at the End of six Calendar Months next after the making or erecting of any such Quay or Wharf; and the said Corporation shall keep up and maintain the four Jettees upon the East Side of the Haven in Manner as heretofore.

Remedy for Recovery of Rent.

LXXIII. Provided always, and be it further enacted by the Authority aforesaid, That if the said annual Rent or Sum of five Shillings, or any Part thereof respectively, shall be in arrear or unpaid for the Space of forty Days next after the Time on which the same ought to be paid as aforesaid, then, and so often, and from Time to Time, it shall be lawful for the said Mayor, and Burgessees, and their Successors, to enter and make Distress of any Goods or Chattels which shall be found upon the Quay or Wharf, in respect of which shall be payable the annual Rent or Sum so in arrear or unpaid, and the Distress and Distresses, from Time to Time taken, to carry away and impound, or dispose of according to Law, for the Recovery of Rent in arrear, and all Costs and Charges from Time to Time attending such Distress and Distresses: And in case the same be not redeemed in six Days, by Payment of the annual Rent or Sum which shall be so in arrear, together with the Charges of such Distress, then to sell the Goods and Chattels so distrained, and out of the Money arising by such Sale to retain the Rent, and all Arrears thereof, which shall be then due, and the Charges of the said Distress and Sale, rendering the Overplus (if any), when demanded, to the Owner.

Tenants for Life, &c. may borrow Money.

LXXIV. And whereas several of the Proprietors of Staiths on the said River *Hull* may have occasion to borrow Money to defray the Charges and Expences incident to, or attending the building Quays or Wharfs in pursuance of this Act, and cannot, by reason of some Settlement or Settlements, Impediment or Impediments, respectively, make effectual Securities for the Money which may be lent for those Purposes;

' Purposes; ' be it therefore further enacted by the Authority aforesaid, That it shall be lawful for the several Proprietors, being Tenants for Life or in Tail, or for any uncertain Interest that may determine upon a Life or Lives in being, and also for the Husbands, Guardians, Trustees, Committees, or Attornies, or any Person or Persons acting as Guardian, Trustee, Committeee, or Attorney, for any Charity or Charities, or for such of the said Owners as shall be under Coverture, Minors, Lunaticks, or beyond the Seas, or otherwise incapable of acting for themselves, and every of them respectively for the Time being, by Writing, under their Hands and Seals, from Time to Time, to charge the respective Quays or Wharfs, which shall be so built by them respectively (all which Quays or Wharfs are hereby directed and required to be made in as strong, substantial, and durable a Manner as the other Quays or Wharfs shall in general be made in pursuance of this Act), and the Messuages, Staiths, Warehouses, or Tenements, belonging to such of the said Proprietors respectively, and adjoining to, and in respect whereof such Quays or Wharfs shall be built respectively, or any Part of the Premises, with such Sum or Sums of Money as shall be really and *bona fide* expended by them in the building such Quays or Wharfs respectively; and for securing the Repayment of such Sum or Sums of Money, with Interest, to grant, mortgage, lease, and demise, or otherways subject the Premises, so to be charged as aforesaid, unto such Person or Persons as shall advance and lend the same respectively, for any Term or Number of Years, so as every such Grant or Demise shall be made with a Proviso and Condition to cease and be void, or with an expresse Trust to be surrendered, when such Sum or Sums thereby secured shall be fully paid and satisfied, and so as every such Grant, Mortgage, or Demise, to be made by any Tenant for Life, or in Tail, or for any other uncertain Interest that may determine upon a Life or Lives in being, Trustee, Guardian, Committeee, or Attorney, shall contain a Proviso that the Person intituled to the Remainder or Reversion of the Premises so to be mortgaged, shall not, nor shall any Person be liable, upon his or her becoming possessed of any such mortgaged Premises, to any further or larger Arrear of Interest than for one Year preceding the Time that the Title to such Possession shall have commenced; and that every Grant, Mortgage, Lease, or Demise, so to be made in pursuance of this Act, shall be good, valid, and effectual in the Law, for the Purposes thereby intended, notwithstanding the Want of legal Title in such Husbands, Guardians, Trustees, Committees, or Attornies, or Persons acting as Guardians, Trustees, Committees, or Attornies, or in such Tenants in Tail, or for Life, or for other uncertain Interests that may determine upon a Life or Lives in being; any Settlement, Will, Trust, Use, Remainder, or Limitation to the contrary notwithstanding.

LXXV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, to whom any such Grant, Mortgage, Lease, or Demise, shall be made, or who shall be intituled to the Money thereby secured, may, from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of two or more credible Witnesses, assign or transfer the same Security or Securities, and all his, her, or their Right, Title, or Interest, in and to the same, to any Person or Persons whatsoever, who may again in like Manner assign the same, and *toties quoties*; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, or their Executors and Administrators, and all Persons claiming under them, or any of them, shall and may use, take, and pursue all such lawful Methods, Courses, and Expedients at Law, or in Equity, for recovering and obtaining the Possession of the Premises so to be mortgaged, leased, or demised, as aforesaid, in case of Non-payment of the principal Money and Interest, to be thereby secured, or any Part thereof, as is or are used, taken, or pursued, in Cases of the like Nature.

Mortgages may be assigned.

LXXVI. Provided always, and be it further enacted by the Authority aforesaid, That the respective Tenants of such of the said Staiths, adjoining to which any Quay or Wharf shall be built in pursuance of this Act, as are let on Lease for Years, shall, during the Continuance of such Leases respectively, and so long as they shall be permitted to hold and enjoy for their own Use and Benefit the same Quays or Wharfs respectively, pay to the Landlords, or Persons of whom they shall so hold their respective Estates, their Heirs, Successors, and Assigns, Interest for the several Sums of Money which shall be laid out or expended by them in building such Quays or Wharfs respectively, after the Rate of five Pounds a Year for every one hundred Pounds, and so in Proportion for any less Sum than one hundred Pounds that shall be so laid out and expended; and that all the Interest, so to be paid as aforesaid, shall be added to their respective Rents, reserved and made payable in and by their respective Leases, and shall commence and be payable from such Times, and in such Proportions, and be recoverable in such Manner, as the respective Rents are or shall be in and by the said Leases respectively reserved and recoverable, the first of such Payments to commence at the next Rent Day or Time of Payment, which shall first happen after such Quays or Wharfs respectively shall be so built.

Tenants for Years to pay Interest for the Money expended by their Landlords.

LXXVII. And whereas it may be necessary for the said Commissioners to purchase Lands and Tenements, for the Purpose of making, laying out, or widening such Road or Roads, as they shall by this Act be authorized to make or amend, or for the Purpose of making or extending some of the Works, by this Act to be made and provided, or for laying Soil, Rubbish, Utensils, and Materials upon, or for erecting Conveniencies for Workmen, or for other the Purposes of this Act; be it therefore further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any thirteen or more of them, or any Person or Persons by them in that Behalf to be appointed, to contract and agree with the Owner or Owners of any Parcel or Parcels of Lands, Tenements, or Hereditaments, which shall be necessary or useful for any of the said Purposes, for the purchasing their respective Estates and Interests therein, and to purchase the same, and to take a Conveyance, Assignment, or Surrender thereof, at and for such Price and Consideration as shall be agreed upon between the Parties contracting: And in case the Owner or Owners of such Lands, Tenements, and Hereditaments, or any of them, shall refuse to contract and agree with the said Commissioners, or any thirteen or more of them, or the Persons so to be for that Purpose appointed, or through any Disability, by Non-age, Coverture, or other Impediment,

Commissioners may purchase Land for widening the Road, &c.

If Parties cannot agree, Sheriffs, &c. to summon a Jury.

shall not be qualified or enabled to contract or agree, or to execute or perform such Contract or Agreement, and carry the same into Execution; then, and in every such Case, it shall be lawful for the said Commissioners, or any thirteen or more of them, and they are hereby authorised and impowered, from Time to Time, to issue out their Warrant or Warrants, under their Hands and Seals, directed to the Sheriff of the County where such Lands, Tenements, or Hereditaments shall lie; or if the said Sheriff shall be immediately interested in such Matter, then to one of the Coroners of the same County; and if the said Coroners shall be immediately interested therein, then to two other Persons not interested in the Matters in question (one of whom shall be chosen by the said Commissioners, or any thirteen or more of them, and the other by the said Owner or Owners of such Lands, Tenements, or Hereditaments; and in Default of either of the said Parties making such Choice, then it shall be lawful for the other of them to nominate and appoint any two disinterested Persons as aforesaid), for the impanelling, summoning, and returning a Jury; and such Sheriff, Coroner, or other Persons as aforesaid, are hereby required accordingly to impanel, summon, and return twenty-four able and sufficient Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at *Westminster*, to appear before the said Commissioners, or any thirteen or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, in order that out of them a Jury of twelve may be sworn to enquire touching the Matters in question; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff or Coroner, or such other Persons as aforesaid, shall return other honest and indifferent Men, who can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Commissioners, or any thirteen or more of them, may order and authorise the said Jury, or any six of them, to view the Place or Places, or Matters in Controversy; and shall also, by Warrant or Warrants, under the Hands and Seals of any thirteen or more of them the said Commissioners, from Time to Time, as Occasion may require, summon and call before them all such Persons as shall be thought proper to be examined as Witnesses concerning the Matters in question, and shall administer the Oath to such Witness or Witnesses as aforesaid, and also to the said Jury; which Jury, so to be impanelled and sworn, shall enquire into the Value of the Premises in question, and award and assess such Damages and Recompence as they shall think reasonable to be awarded to the Owners, Occupiers of, and Persons interested in such Lands, Tenements, or Hereditaments, for the Purchase of their respective Estates and Interests therein; and the said Commissioners, or any thirteen or more of them, shall give Judgment for such Sums of Money so to be assessed or awarded; which Verdict, and Judgment thereupon, pronounced by the said Commissioners, or any thirteen or more of them, shall be binding and conclusive to all Infants, Females-covert, Bodies Politick and Corporate whatsoever, so as Notice, in Writing, of the Time of such Meeting of the Jury for the Purpose aforesaid shall be given at least fourteen Days before every such Meeting to every Person interested, or left in Writing at his, her, or their usual Place of Abode, or with some Tenant or Occupier of such Lands or Tenements, in case the Owner thereof cannot conveniently be found.

Jury may be challenged.

Witnesses may be examined.

Jury to award Damages.

Commissioners Judgment to be final.

Penalty on Sheriffs, &c. neglecting their Duty.

Verdicts to be enrolled.

Determinations to be entered in a Book.

LXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of twenty Pounds; and if any Person, so summoned and returned as aforesaid on such Jury, shall not appear, or appearing, refuse to be sworn, or being sworn refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing, refuse to be sworn or examined to give Evidence, every Person so offending respectively (having no reasonable Excuse, to be allowed by the said Commissioners, or any thirteen or more of them), shall, for every such Offence, forfeit and pay such Sum as the said Commissioners, or any thirteen or more of them, shall appoint, not exceeding the Sum of five Pounds for any one Offence; and if any Person or Persons, in giving Evidence concerning any of the Matters aforesaid, or concerning any other Matters relative to this Act, shall commit wilful and corrupt Perjury, every such Person, upon Conviction thereof according to Law, shall incur and suffer such Pains and Penalties as are by Law inflicted upon Persons guilty of wilful and corrupt Perjury.

LXXIX. And be it further enacted by the Authority aforesaid, That all the Agreements, Contracts, Sales, and Conveyances, and also all Verdicts and Judgments which shall be made and given in relation to any such Lands, Tenements, or Hereditaments, as aforesaid (such Verdicts and Judgments being signed by thirteen or more of the said Commissioners, who shall be present at the taking of such Inquest), shall be enrolled at the publick Register Office established at *Beverley*, in the East Riding of the County of *York*, by an Act of Parliament, passed in the sixth Year of the Reign of her late Majesty Queen *Anne*, for the publick registering all Deeds, Conveyances, Wills, and other Incumbrances, that should be made, or that might affect any Honours, Manors, Lands, Tenements, or Hereditaments, within the said East Riding, or Town and County of the Town of *Kingston upon Hull*; and the said Register, or his Deputy, is hereby required to enrol the same in the proper Book for inrolling Bargains and Sales of Lands, a true Copy of which Inrolment, or of any Part thereof, under the Hand of the said Register, or his Deputy, shall be allowed as Evidence in all Courts whatsoever; and the said Register, or his Deputy, shall be intitled to such Fees for such Inrolment, and Copies thereof, as are allowed him by the said Act for inrolling any Bargains and Sales, and Copies thereof, and shall permit any Person or Persons, from Time to Time, and at all Times, within the Office Hours of Attendance, to peruse and inspect the said Inrolments, and take Copies thereof, upon paying for every such Perusal and Inspection one Shilling and no more.

LXXX. And be it further enacted, That all Judgments or Determinations so to be made, as aforesaid, shall be set down, in Writing, under the Hands and Seals of the said Commissioners who shall make or pronounce the same, and be entered in a Book to be kept by the said Commissioners for the Entry of all Proceedings by virtue of this Act; and that upon Payment, by the said Company, of such Sum or Sums

of Money as shall be agreed upon or assessed to the Parties concerned, or Tender thereof made at his, her, or their Dwelling-house, and if they have no such Dwelling-house, then at the House of some Tenant or Occupier of the Lands, Tenements, or Hereditaments before mentioned; or upon Refusal to accept such Tender, then on Payment of such Sum or Sums of Money into the Hands of any Person or Persons to be for that Purpose appointed by the said Commissioners, or any thirteen or more of them, for the Use of the Parties interested; then, and not before, it shall be lawful for the said Commissioners, or any thirteen or more of them, their Agents, Workmen, or Servants, in that Behalf to be appointed, to enter upon, take, use, apply, and appropriate, the said Lands, Tenements, and Hereditaments, or any Part thereof, for which such Satisfaction shall be assessed and awarded as aforesaid, for the Purpose of making, amending, or widening the said Roads, or in making or extending any of the said Works, or of laying Soil, Rubbish, Utensils, and Materials, for the making and repairing the said Basin or Dock, or other Works, and for making such other Conveniencies for Workmen as aforesaid, or for other the Purposes of this Act, according to the Tenor and true Meaning thereof, but to and for no other Use, Intent, or Purpose whatsoever; and the said Commissioners, their Agents, and all Persons whatsoever, employed or authorized by them as aforesaid, shall by this Act be fully and effectually indemnified against the Owners and Occupiers of, and all Persons interested in, the said Lands, Tenements, or Hereditaments, or any Part thereof: And if, after the said Basin or Dock, Reservoirs, Roads, or other Works, for which any such Lands, Tenements, or Hereditaments, were purchased, shall be finished, there shall remain any Land or Hereditament that shall not be used or thereafter be wanted for the Purposes of this Act, the same shall be, and is hereby vested in the said Commissioners; and they, or any thirteen or more of them, may, and are hereby fully empowered to sell and convey the same for the best Price that can be gotten, and the Money arising by such Sale shall be applied to the Use of the said Company.

Land, &c. not used in the Works may be sold.

LXXXI. And it is hereby further enacted by the Authority aforesaid, That the several Powers and Provisions herein before mentioned, for empowering and enabling the Commissioners herein before mentioned, to purchase Lands and Tenements for the Purposes before mentioned, shall extend, and be construed to extend, to empower and enable the Commissioners of his Majesty's Customs in *England*, or any Person appointed for that Purpose, by any four or more of them, in like Manner to purchase any Lands and Tenements, for building a Customhouse, or any Warehouse or Warehouses, to be used in the Service of the Revenue of Customs in the said Port of *Kingston upon Hull*; and all the several Clauses in this Act relative thereto, shall extend, and be construed to extend, and carried into Execution, with respect to the Lands and Tenements so purchased, or intended to be purchased, for the Use and Service of the Customs, in as full and ample Manner, to all Intents and Purposes, as if the same were again repeated, and herein enacted.

Commissioners may purchase Land to build a Customhouse.

LXXXII. Provided always, and be it further enacted, That in case any Jury, to be summoned and sworn as aforesaid, shall give a Verdict for more Monies, as a Recompence or Satisfaction for any Lands, Tenements, or Hereditaments, or other Property, or for any Damage to be done thereto, than what shall have been offered by the said Commissioners, or any thirteen or more of them, before the summoning or returning of such Jury for such Recompence or Satisfaction, that then the Expences of summoning and maintaining such Jury, and the Witnesses, shall be paid by the said Commissioners, or any thirteen or more of them, out of any Money to be raised by virtue of this Act; but if any such Jury shall give a Verdict for no more or for less Monies than shall have been offered by the said Commissioners, or any thirteen or more of them, before the summoning and returning such Jury, for such Recompence or Satisfaction, that then the Expences of summoning and maintaining such Jury, and the Witnesses, shall be borne by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; and such Expences, having been ascertained and settled by some Justice of the Peace for the East Riding of the County of *York*, not interested in the Matter in question, who is hereby required to examine and settle the same, shall be deducted and taken out of the Monies so assessed and 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 assessed and adjudged.

How Expences of the Jury are to be paid.

LXXXIII. And be it further enacted, That all and every Person or Persons making Complaint, and requesting such Jury, shall, before the said Commissioners shall issue their Warrant or Warrants for the summoning such Jury, as aforesaid, first enter into a Bond, with two sufficient Sureties, to the said Commissioners, or any thirteen or more of them for the Time being, in the Penalty of fifty Pounds, to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for no more or a less Sum than had been offered by or on Behalf of the said Commissioners, or than had been assessed, before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any Lands, Tenements, Hereditaments, or Damages, as aforesaid.

Persons requiring a Jury to give Security to prosecute.

LXXXIV. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons, who shall have landed, or caused to be landed, and laid any Goods or Merchandise, Timber, Wood, or Stone of any Kind, Masts, Boats, Yards, Anchors, Cables, Casks, Guns, Ballast, Lime, Dung, or Manure, or any other Thing whatsoever (other than Materials for the necessary Use or Repairs of the said Quays or Wharfs, Basin or Dock, or other Works) upon any of the Quays, Wharfs, or Landing-places, to be made by virtue of this Act; or in any of the adjacent Streets or Avenues, to continue or permit the same, or any Part thereof respectively, to remain and lie thereon for any longer Time than forty-eight Hours; and in all Cases where any such Goods, Merchandise, Timber, or other Things, as aforesaid, shall have so continued beyond the Space of forty-eight Hours, it shall be lawful for the Dock and Haven Master for the Time being, or his Assistants, and he and they are hereby required to remove, or cause the same to be removed, to some Place or Places of Safety, and therein to detain and keep the same till

Goods to be removed from the Quays within 48 Hours.

Payment of the Charges of such Removal and Detention, and of such Forfeiture, to the said Dock and Haven Master, and his Assistants, for their Trouble in and about the same, as the said Commissioners, or any thirteen or more of them, shall, by any Rule or Bye-law, ascertain and establish: And if such Charges, Expences, and Forfeiture, shall not be paid within the Space of five Days after Demand thereof by the said Dock and Haven Master; then, and in every such Case, he is hereby authorized and required to cause the said Goods and Chattels, so respectively secured, or a sufficient Part thereof, to be appraised and sold, for Payment of the said Charges and Forfeiture, and all other Expences relative thereto, and to the said Appraisalment and Sale.

Warehouses, &c.
may be hired for
keeping of
Goods, &c.

LXXXV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any thirteen or more of them, shall and may, and are hereby authorized and empowered to rent or hire, by the Year, or otherwise, any convenient Warehouse, Yard, or other Place, for the receiving, safe keeping, or lodging, of such Goods and other Things, so to be removed from off the Quays and other Places, as aforesaid; or to inclose, erect, or build, any such Yard, Warehouse, or other Buildings, on their own Ground, or on Ground to be purchased by them, as to them shall seem most meet and fitting.

Gunpowder, &c.
to be removed at
a certain Time.

LXXXVI. And be it further enacted by the Authority aforesaid, That no Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or combustible Things whatsoever, shall be suffered to be or remain on the Quays or Wharfs aforesaid, or on any Part thereof, or upon the Deck of any Ship or Vessel in the said Haven, Bason, or Dock, for above the Space of twenty-four Hours after passing the Customhouse Officers; and that in case such Goods and Things cannot be conveniently removed or got off from such Quays or Wharfs, or Ships Decks, by Day-light, that then, and in every such Case, the Owners of such Goods and Things respectively shall be obliged, and are hereby required, to set and maintain, at their own Expence, a sufficient Number of careful and sober Persons to guard and watch over the same, for such and so many Hours, according to the Season of the Year, as the said Dock and Haven Master, or his Assistant or Assistants, shall direct and appoint; and in case the Owner or Owners of such Goods or other Things, or the Master or Mate of any Ship or other Vessel, shall make Default herein, every such Person shall forfeit and pay, for every such Offence, the Sum of five Pounds.

Penalty on De-
fault 5 l.

For scouring the
Haven, Bason,
&c.

LXXXVII. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any thirteen or more of them, their Agents, Servants, or Workmen, as often as Occasion shall require, well and sufficiently to cleanse, scour, open, deepen, widen, or cut through, and take away, any Banks, Hills, Earth, Soil, or Rubbish, in the said Port or Haven, in such Manner as the said Commissioners, or any thirteen or more of them, shall think proper, for the Security and Accommodation of Shipping in the said Port or Haven, and for the more free Passage of Water in the said River *Hull*; so as in the doing thereof no nearer Approach be made to the Staiths or Warehouses adjoining thereto than the Distance of thirty-five Feet, nor to the Wharfing maintained by his Majesty on the opposite Side of the Haven than thirty-five Feet; and so as none of the four Jetties, maintained by the Corporation of *Hull*, and now standing on the said opposite Side of the Haven, and adjoining to his Majesty's Wharfing aforesaid, be taken away or removed, the Maintenance of which Wharfing being absolutely necessary for the Protection and Security of the Level of *Holderness* from being overflowed by the Tides; and also to remove and take away any Wrecks of Ships or Vessels, or any Ship or Vessel that shall be sunk, or any Wood, Timber, or other Obstructions or Impediments of the like Nature in the said Port or Haven that may happen to arise by Accident; and in case the Owner or Owners of any such Ship or Vessel which shall be so removed, as last-mentioned, shall refuse or neglect to pay the Charge of removing the same for the Space of three Days after Demand thereof made by any Officer of the said Commissioners, the same shall be recovered in such Manner as other Penalties and Forfeitures are by this Act directed to be recovered.

Penalty on
throwing Dirt
into the Docks,
&c.

LXXXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall throw, cast, or put any Ballast, Earth, Dust, Ashes, Stones, or other Things, into or upon any Part of the Bason, or Dock, Reservoirs, Quays, Wharfs, Roads, or other Works, to be made or provided in pursuance of this Act, to the Prejudice thereof, or do any other Annoyance to the same, or any Part thereof, or to the Haven of the said River *Hull*, or shall fasten any Ship or Vessel by any Rope, or otherwise, to the North Bridge aforesaid; or, after the said Bason or Dock shall be finished, moor or lay any Ship or Vessel, for more than one Tide, nearer to the said Bridge than the South Side of Master *Thomas Walton's* Ship Yard, to such Posts as shall be provided for that Purpose, and Complaint be made thereof, upon Oath, by any of the said Commissioners, or their Clerk, or other Officer, or any other Person, the same shall be examined into and determined by any two of his Majesty's Justices of the Peace for the said Town of *Kingston upon Hull* for the Time being; and they are hereby authorized to impose upon the Offender or Offenders (other than and except as is next herein-after mentioned), such Fine or Fines, not exceeding five Pounds, for each Offence, as they the said Justices shall think reasonable: And in case any Owner or Owners, Master or Commander, Seaman or Servant, of or belonging to any Ship or Vessel, shall be guilty of any of the said Offences, upon Proof thereof, by the Oath of one or more credible Witnesses or Witnesses, before any two of the said Justices, the Person or Persons so offending shall, for each Offence, forfeit to the said Company the Sum of five Pounds; and in case of Non-payment of such last-mentioned Forfeiture for the Space of three Days after the same shall be demanded, it shall be lawful for any two of such Justices for the Time being, by Warrant under their Hands and Seals, to levy the same, together with the Costs and Charges incident thereto, by Distress and Sale of the Goods and Chattels of every such Owner, Master, or Commander, Seaman or Servant, so offending, or of the Tackle, Apparel, or Furniture, of or belonging to such Ship or Vessel, rendering the Overplus (if any) to the Person whose Goods or other Things shall be so distrained; and if sufficient Distress shall not be found, then it shall be lawful for such Justices, by Warrant under their Hands and Seals, to commit such Offender or Offenders

to the House of Correction, there to be kept to hard Labour for any Time not exceeding one Calendar Month.

LXXXIX. And be it further enacted by the Authority aforesaid, That no Wood or Timber, which shall be delivered in the Haven of *Hull*, or in the said Basen or Dock, shall be permitted to lie or remain therein for a longer Time than forty-eight Hours after the Delivery thereof; and in case the same shall not be removed before the Expiration of that Time, the Owner or Owners thereof shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Timber not to be left in the Haven more than 48 Hours.

XC. And whereas Accidents frequently happen to Ships and Vessels, by Lightermen, Ballastmen, and others, digging or raising Ballast, from a Place called *The Dolphin Point* and a Place called *The South End*, opposite to the said Point, be it therefore further enacted, That it shall not be lawful for any Person or Persons to take, or cause to be taken, any Ballast from the said Places, without Leave first obtained for that Purpose, in Writing, from the Mayor of the said Town, or his known Agent appointed for that Purpose, nor receive more Money for such Ballast from the Master or Masters of Ships or Vessels to whom the same shall be delivered, than shall be fixed and ascertained by the said Mayor, by Writing under his Hand, under the Penalty of forfeiting, for every Offence, the Sum of forty Shillings.

No Ballast to be raised between Dolphin Point, and South End, without Leave of the Mayor.

XCI. And be it further enacted by the Authority aforesaid, That in case any Person or Persons whatsoever shall wilfully or maliciously cut, break, or in any Manner destroy, any Rope or other Thing, by which any Ship or Vessel, lying in the said Haven, or in the said Dock or Basen, shall be moored or fastened, such Person or Persons shall, for every Offence, forfeit and pay the Sum of fifty Shillings.

Penalty on cutting of Ropes, &c.

XCII. Provided always, That nothing herein contained shall hinder or restrain the Dock and Haven Master, to be appointed in pursuance of this Act, or his Assistants, from exercising, in a due and reasonable Manner, any of the Powers or Authorities hereby vested in them.

Not to extend to the Dock Master.

XCIII. And, for preventing Accidents by Fire in the said Haven, Dock, or Basen, be it further enacted by the Authority aforesaid, That no Person whatsoever shall have or keep, or cause to be had or kept, any Fire, Candle, or Lamp, lighted (except in the Manner herein-after for that Purpose mentioned) on board any Ship or Vessel within the said Haven, Dock, or Basen (the Vessels employed as Ferry Boats only excepted), at any Time or Times whatsoever, between the twenty-ninth Day of *September* and the twenty-fifth Day of *March*, in every Year, after the Hour of Seven in the Evening, or before the Hour of Seven in the Morning, nor at any Time or Times whatsoever, between the twenty-fifth Day of *March* and the twenty-ninth Day of *September*, in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon Pain of forfeiting, for every Offence, the Sum of three Pounds.

Regulations in keeping Fires, &c. on board of Ships.

XCIV. And, the better to make known the several Times when Fires and Candles shall be extinguished, as before directed, be it further enacted by the Authority aforesaid, That every Evening and Morning, at the Hours herein for the above Purposes appointed, a large Bell, to be provided by the said Commissioners, shall be rung for the Space of ten Minutes at the least, in the said Haven or Dock, or some of them, or in some Place contiguous thereto.

Bell to be rung when Fires are to be extinguished.

XCv. And be it further enacted by the Authority aforesaid, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Thing, shall, at any Time hereafter, be boiled or heated on board any Ship or Vessel in the said Haven, or Dock or Basen, or in any Boat, except in a Boat lying alongside of some Ship or Vessel, nor within twenty Feet of the Quays, Staiths, or Warehouses, adjoining to the West Side of the said Haven (Carpenters Yards only excepted); nor shall any Gunpowder, exceeding the Quantity of six Pounds, be suffered to be or remain on board any Ship or Vessel, for any longer Time than twenty-four Hours after the Arrival of such Ship or Vessel in the said Haven, or Dock or Basen, upon Pain that every Master, Commander, or Owner of every Ship or Vessel, shall forfeit, for every Offence, the Sum of five Pounds.

5 l. Penalty on Persons boiling Pitch, &c. on board.

XCvi. Provided nevertheless, and it is hereby enacted and declared, That in case any Ship or Vessel, in which any Gunpowder above the Quantity of six Pounds shall happen to be, shall arrive in the said Haven, Basen, or Dock, on a *Sunday*, or any Customhouse Holiday, it shall be lawful for the Master or Commander of any such Ship or Vessel to land the same without a Sufferance or Leave from the Officers of his Majesty's Customs of *Hull* for so doing, provided the same be done in the Presence of a Tide Surveyor or Coast-waiter.

Gunpowder may be landed without Leave of the Officers of Customs, when the Vessel shall arrive on a Sunday, &c. No Ships, to enter the Docks under Sail.

XCvii. And, for the Security and Preservation of the Basen or Dock, or other Works belonging to the same, be it further enacted by the Authority aforesaid, That before any Ship or Vessel shall enter or pass into the said Basen or Dock, such Ship or Vessel shall have her Sails taken down, so that she may not enter under Sail, upon Pain that every Master, Commander, or Pilot, taking the Care of every such Ship or Vessel, shall, for every such Offence, forfeit the Sum of five Pounds.

XCviii. And be it further enacted by the Authority aforesaid, That no Ship or Vessel that shall be laid up as unfit for further Sea Service shall be permitted to be or remain in the said Basen or Dock, to incumber the same, for above the Space of six Calendar Months in the Whole; and that, during all such Time, the Owner or Owners, Master or Commander, Factor or Agent, of or for such Ship or Vessel, shall keep the same constantly and sufficiently moored, to prevent Damage to any other Ship or Vessel; and that, in every such Case, it shall be lawful for the said Dock and Haven Master, his Deputy and Assistants, and every of them, to cause such Ship or Vessel, so incapable or unserviceable, which shall lie in the said Basen or Dock for above the Space of six Calendar Months, or that shall be found loose and unmoored in the same, to be removed out of the said Basen or Dock, and to lay and moor such Ship or Vessel on any Part of the Strand or Shore of the River *Humber*, within High-water Mark, and as near the said Town of *Kingston upon Hull*, as conveniently may be: And that, upon Demand of Payment being made by such Dock and Haven Master, his Deputy or Assistants, or any of them, from the Owner or Owners, Master, Commander, or Agents, of or for such Ship or Vessel, of the Charges of removing and mooring such Ship or Vessel as aforesaid (such Charges and Expences being first examined and allowed by the said

Old Ships not to incumber the Basen or Docks.

Expence of moving old Ships may be levied by Distress.

Commissioners,

Commissioners, or any thirteen or more of them), and upon Refusal or Neglect of Payment of such Charges and Expences so allowed, as aforesaid, for the Space of five Days next after Demand made; then, and in every such Case, it shall be lawful for the said Dock and Haven Master, his Deputy or Assistants, or any of them, to levy such Charges and Expences by Distress and Sale of such Ship or other Vessel, or any of her Tackle, Apparel, or Furniture, or any Part thereof, rendering the Overplus (if any such there be), after deducting the Charges of taking, keeping, and Sale of such Distress, to the Owner or Owners, Master, Factor, or Agents, of or for such Ship or other Vessel, upon the same being demanded.

Owners of Vessels answerable for Damages done by their Crews.

XCIX. And be it further enacted by the Authority aforesaid, That the Master or Owner of every Ship or Vessel lying or trading in the said Port or Haven, shall be and is hereby made answerable to the said Company, for the Amount or Value of any Damage or Mischief that shall be done by any of the Servants, Boatmen, Bargemen, or Watermen, on board the same, to the said Basin or Dock, Quays or Wharfs, or other Works to be made within the said Port or Haven, with full Costs of Suit; and that such Damage and Costs shall be sued for and recovered in Manner herein-after directed.

Materials may be laid on adjoining Lands, making Satisfaction.

C. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, and their Agents, Engineers, Workmen, and Labourers, employed in making the said Basin or Dock, Quays, Wharfs, Reservoirs, Roads, or other Works, to lay any Stones, Timber, or Iron, or any other Materials, Matters, or Things, to be used in or about any of the Works, upon any of the adjoining Lands, making Satisfaction to the Owners and Occupiers thereof for all Damage done thereto, in such Manner as shall be agreed upon between the said Commissioners, or any thirteen or more of them, and the respective Owners or Occupiers; and in case of Disagreement therein, then in such Manner as is by this Act prescribed for purchasing Land for the Use of the Works authorized by this Act.

Persons destroying the Docks, &c. to be punished.

CI. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall, after the passing of this Act, maliciously, wilfully, or wantonly demolish, break down, destroy, or set on Fire any of the Works, made or provided by virtue of this Act, or belonging to the Port of *Kingston upon Hull*, or any Ship or Vessel lying and being in the Haven, Basin, or Dock, or elsewhere within the said Port, or any Part or Parts of them respectively, every such Person and Persons so offending in any of the Cases aforesaid shall be adjudged guilty of Felony without Benefit of Clergy; and every such Felon and Felons shall be subject and liable to the like Pains and Penalties as in Cases of Felony without Benefit of Clergy; and that the Court and Courts, by and before whom such Person and Persons shall be indicted and tried, have hereby Power and Authority to award Judgment and Execution on such Felon and Felons, and may transport such Felon or Felons for the Space of seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, according to the Heinousness of the Crime or Crimes which such Person or Persons shall be charged with and convicted of.

The Fares of Trucks and Carts to be fixed.

CII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any thirteen or more of them, shall and have hereby full Power, from Time to Time, to set down and ascertain the Rates and Prices which shall from Time to Time be paid and payable for the carrying and conveying of any Goods, Wares, or Merchandise, and of Wood, Stone, Iron, and all other Matters and Things, from the said several Quays or Wharfs to any Part or Parts of the said Town of *Kingston upon Hull*, or from any Part or Parts of the said Town to any of the said Quays or Wharfs, in or upon any Truck or Cart, Sledge, Waggon, Dray, or other Carriage, according to the Distances which the same shall be carried, as they the said Commissioners, or any thirteen or more of them, shall think proper; which said Rates and Prices of Carriage, and none other, shall, from Time to Time, be paid or payable for any the Purposes aforesaid.

Water to be preserved to the Town.

CIII. And whereas the Inhabitants of the said Town of *Kingston upon Hull* are chiefly supplied with Water for their necessary Uses from a Place called the *Water House*, conveyed to the said Town by Pipes, some of which are laid in the *Town's Ditches*; be it therefore further enacted by the Authority aforesaid, That in case the said Commissioners shall find it necessary, in carrying on any of the Works authorized by this Act, to remove or take away any of the said Pipes, the said Commissioners, or any thirteen or more of them, shall, and they are hereby required, at their own Expence, immediately to reinstate the said Pipes, or to place others, in such Manner and Form that the Inhabitants of the said Town may receive no Prejudice thereby, but may be supplied with Water from the said Waterhouse, in as large Quantities, and in as effectual a Manner, as they were before the passing of this Act.

Recovery and Application of Penalties and Forfeitures.

CIV. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act inflicted, or directed to be inflicted (concerning the Recovery of which no particular Direction is hereby given), shall, if the same be not paid within fourteen Days after the same shall be demanded, be recovered and levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of any two of the Justices of the Peace of the said Town of *Kingston upon Hull*, which Warrant they, or any two of them, are hereby empowered and required to grant, upon the Information of one or more credible Witness or Witnesses, upon Oath, before them, or any two of them, made, which Oath any two of them are hereby empowered to administer; and that all the Penalties and Forfeitures by this Act inflicted, shall, when recovered, after rendering the Overplus (if any be), when demanded, to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted), be paid into the Hands of such Person or Persons as the said Company shall direct and appoint, for their Use; and in case no such Distress as aforesaid can be had, then it shall be lawful for the said Justices for the Time being, or any two or more of them, by like Warrant or Warrants, to commit the Party offending to the common Gaol, or House of Correction, of the said Town, for the Space of twenty Days, without Bail or Mainprize, unless the said Penalty and Charges shall be sooner paid and satisfied.

Penalties may be mitigated.

CV. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the Justices of the Peace, or any of them, by whom any Judgment, Sentence, or Determination, shall be given,

given, pronounced, or made, from Time to Time, where they see Cause, to mitigate, compound, or lessen, any of the Penalties or Forfeitures as aforesaid, as he or they in his or their Discretion shall think fit, so as such Mitigation or Composition do not extend to remit above one Moiety of the Penalty inflicted and directed to be levied by this Act; and that every such Mitigation or Composition shall be a sufficient Discharge for the Persons offending respectively, for so much of the said Penalties and Forfeitures as shall be so mitigated, lessened, or remitted.

CVI. Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves aggrieved, or remain unsatisfied with the Judgment of the said Justices, or any of them, by reason of any Sentence or Judgment to be given or pronounced by them, or any of them, as aforesaid, or by any other Matter or Thing done by virtue of this Act, such Person and Persons shall and may complain or appeal to the Justices of the Peace, at the next General Quarter Sessions of the Peace to be held in and for the said Town and County of the Town of *Kingston upon Hull* (proper and reasonable Notice of such Complaint or Appeal being first given), who are hereby impowered to summon and examine Witnesses upon Oath, and finally to hear and determine the Matter of every such Complaint or Appeal; and, in case of Conviction, to issue a Warrant or Warrants for the levying and enforcing of Payment of the said Penalties and Forfeitures, by the Ways and Means before mentioned, together with such Costs and Charges to the Party in whose Favour such Appeal shall be determined, as the Justices in their said Sessions shall order and direct; which Orders and Judgments respectively shall be final and conclusive to all Parties, and shall not be removed or removable by any Writ or Writs of *Certiorari*, or otherwise, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere.

Persons aggrieved may appeal to the Quarter Sessions.

CVII. Provided nevertheless, and be it further enacted by the Authority aforesaid, That no Order, or other Proceeding, to be had or made by or before the said Justices, or the said Commissioners, or any of them, in relation to the Premises, shall be quashed or vacated for want of Form only; and that, where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or want of Form in the Summons, Conviction, or Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover special Damages in an Action upon the Case.

Proceedings not to be vacated for want of Form.

CVIII. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, until twenty Days Notice shall be thereof given to the Person or Persons against whom the same is to be brought, or after a sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, nor after six Calendar Months next after the Fact committed; and such Action or Suit shall be laid and brought in the said County of the Town of *Kingston upon Hull*, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to be so done, or that such Action or Suit shall be commenced after the Time limited for bringing the same, or shall be brought in any other County or Place, or in any other Manner, than directed by this Act, then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

CIX. Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Verdict, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security or other Writing whatsoever, under the Seal of the said Company, or under the Hand and Seal, or Hands and Seals of, or only signed by, any of the said Commissioners, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, or otherwise made use of concerning or in Execution of any of the Powers and Authorities hereby vested in them, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

Writings may be without Stamps.

CX. And whereas the Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House* of *Kingston upon Hull*, by virtue of certain Charters or Letters Patent, granted to them by his Majesty's Royal Predecessors, the Kings and Queens of *England*, or some or one of them, are intitled to, and have exercised and enjoyed, several Powers, Privileges, and Authorities, in and concerning the Haven of the said Town of *Kingston upon Hull*, and the Roadstead near the Haven Mouth of the said Town, for the better Regulation of Ships there, and have from Time to Time appointed a Haven Master for the ordering of Ships in the said Haven, according to such Rules, Orders, and Directions, as the said Guild or Brotherhood have thought expedient; be it therefore enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to take away, impeach, diminish, change, or affect, the Rights, Powers, Privileges, Jurisdictions, or Authorities, of the said Guild or Brotherhood, about or concerning the said Haven or Roadstead, and Premises, so vested in them, or which they might have used, exercised, and enjoyed, by virtue of any Charter, Letters Patent, Grant, Right, or Title whatsoever, otherwise than as the same are by this Act expressly taken away, varied, altered, or restrained.

Saving Rights of the Trinity House.

CXI. And whereas the late King *Richard* the Second, by his Letters Patent under the Great Seal of *England*, bearing Date at *Westminster*, the fourth Day of *June*, in the fifth Year of his Reign, granted to the Mayor and Burgesses of the Town of *Kingston upon Hull* aforesaid, by their then Name of Incorporation,

Saving the Rights of the Corporation.

poration, the Mayor, Bailiffs, and Burgesſes, of the Town of *Kingſton upon Hull*, and their Heirs and Succeſſors, for the Improvement of the ſame Town, that they and their Heirs and Succeſſors ſhould have the Port nigh the ſaid Town, formerly called *Sayer Creek*, then called *Hull*, for ever annexed to the ſaid Town, and the Liberties thereof, from *Sculcoat's Goat* to the middle Stream of the *Humber*, ſo that they and every of them might build Houſes, Quays, and Staiths, within the ſame Water, for the Improvement, Defence, Preſervation, and Increase, of the ſaid Town; be it therefore enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, the Rights, Dues, Duties, and Payments, Powers, Privileges, Jurifdictions, or Authorities, of the ſaid Mayor and Burgeſſes, ſo granted to them as aforeſaid, or any other Rights, Dues, Duties, or Payments, Powers, Privileges, Jurifdictions, or Authorities, in any-wiſe belonging to them, otherwiſe than as the ſame are by this Act expreſſly taken away, varied, altered, or reſtrained.

Publick Act.

CXII. And be it further enacted and declared by the Authority aforeſaid, That this Act ſhall be taken and allowed, in all Courts of Judicature within this Kingdom, as a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

C A P. LVII.

An Act to repeal ſo much of an Act, made in the laſt Seſſion of Parliament, for reducing into one Act the general Laws relating to Turnpike Roads, as exempts Perſons from the Payment of Tolls at Side Gates erected at Places ſpecified in any Act of Parliament.

Preamble.
Clause in Act
13 Geo. 3. re-
cited,

WHEREAS by an Act, made in the thirteenth Year of his preſent Maſteſty's Reign, (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 provided and enacted, That no Perſon ſhall be liable to pay Toll at any Toll-gate erected, or to be erected, acroſs or on the Side of any Turnpike Road, or be ſubject to any Penalty for any Carriage, Horſe, or Beaſt, which ſhall only croſs ſuch Road, and ſhall not paſs above one hundred Yards thereon, except over ſome Bridge erected at a conſiderable Expence by the Truſtees of ſuch Turnpike Road; which Proviſion, as it takes away or leſſens the Tolls of certain Toll-gates erected by the Authority or Direction of former Acts of Parliament, at certain Places in ſuch Acts ſpecified for that Purpoſe, is detrimental to many Turnpike Roads, and highly injurious to Perſons who have lent Money on the Security of ſuch Tolls: May it therefore pleaſe 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 the ſaid recited Proviſion ſhall be, and the ſame is hereby repealed, ſo far as the ſame affects any Toll-gate directed or authorized to be ſet up at any Place particularly ſpecified and mentioned in any Act of Parliament, for repairing any Highway or Road, paſſed before the making of the ſaid Act of the thirteenth Year of his preſent Maſteſty's Reign.

and repealed, ſo
far as it affects
any Toll-gate
particularly ſpe-
cified by any Act
of Parliament.

C A P. LVIII.

An Act for repealing an Act, made in the firſt Year of the Reign of King *Henry* the Fifth; and ſo much of ſeveral Acts of the eighth, tenth, and twenty-third Years of King *Henry* the Sixth, as relates to the Reſidence of Perſons to be elected Members to ſerve in Parliament, or of the Perſons by whom they are to be choſen.

Preamble.
Act 1 Hen. 5.
Act 8 Hen. 6.
Act 10 Hen. 6.
and Act 23
Hen. 6.

WHEREAS an Act of Parliament was made in the firſt Year of the Reign of King *Henry* the Fifth, ordaining and eſta bliſhing *what Sort of People ſhall be choſen, and who ſhall be the Choosers of the Knights and Burgeſſes of the Parliament*; and alſo an Act in the eighth Year of the Reign of King *Henry* the Sixth, ordaining *what Sort of Men ſhall be Choosers, and who ſhall be choſen Knights of the Parliament*; and alſo an Act in the tenth Year of the Reign of his ſaid Maſteſty, requiring *certain Things in him who ſhall be a Choſer of the Knights of Parliament*; and alſo an Act in the twenty-third Year of the Reign of his ſaid Maſteſty, directing *who ſhall be Knights for the Parliament, the Manner of their Election, and the Remedy where one is choſen and another returned*: And whereas ſeveral Proviſions contained in the ſaid Acts have been found, by long Uſage, to be unneceſſary, and are become obſolete: In order therefore to obviate all Doubts that may ariſe upon the ſame, may it pleaſe 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 the ſaid Act, made in the firſt Year of the Reign of his Maſteſty King *Henry* the Fifth, and every Part thereof; and ſo much of the ſaid ſeveral Acts, made in the eighth, the tenth, and the twenty-third Years of the Reign of his Maſteſty King *Henry* the Sixth, as relates to the Reſidence of Perſons to be elected Members to ſerve in Parliament, or of the Perſons by whom they are to be choſen, ſhall be, and the ſame are hereby repealed.

ſo far as relates
to the Reſidence
of Perſons to be
elected Mem-
bers of Parliam-
ent, &c. re-
pealed.

C A P. LIX.

An Act for preserving the Health of Prisoners in Gaol, and preventing the Gaol Distemper.

WHEREAS the malignant Fever, that is commonly called *The Gaol Distemper*, is found to be owing to a want of Cleanliness and fresh Air in the several Gaols in *England* and *Wales*, and the fatal Consequences of that Disorder, of which there has been, of late, too much Experience, might be prevented, if Justices of the Peace were duly authorised to provide such Accommodations in Gaols as may be necessary to answer this salutary Purpose: 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 several Justices of the Peace, in that Part of *Great Britain* called *England* and *Wales*, within their several Jurisdictions, in their Quarter Sessions assembled, are hereby authorised and required to order the Walls and Cielings of the several Cells and Wards, both of the Debtors and the Felons, and also of any other Rooms used by the Prisoners in their respective Gaols and Prisons, where Felons are usually confined, to be scraped and white-washed, once in the Year at least; to be regularly washed and kept clean, and constantly supplied with fresh Air, by Means of Hand^dVentilators, or otherwise; to order two Rooms in each Gaol or Prison, one for the Men, and the other for the Women, to be set apart for the Sick Prisoners, directing them to be removed into such Rooms as soon as they shall be seized with any Disorder, and kept separate from those who shall be in Health; to order a Warm and Cold Bath, or commodious Bathing Tubs, to be provided in each Gaol or Prison, and to direct the Prisoners to be washed in such Warm or Cold Baths or Bathing Tubs, according to the Condition in which they shall be at the Time, before they are suffered to go out of such Gaols or Prisons upon any Occasion whatever; to order this Act to be painted in large and legible Characters upon a Board, and hung up in some conspicuous Part of each of the said Gaols and Prisons; and to appoint an experienced Surgeon or Apothecary, at a stated Salary, to attend each Gaol or Prison respectively, who shall, and he is hereby directed to report to the said Justices by whom he is appointed, at each Quarter Sessions, a State of the Health of the Prisoners under his Care or Superintendance.

Preamble.

Powers of the Justices at their Quarter Sessions.

II. And be it further enacted by the Authority aforesaid, That the said Justices of the Peace, in their said Quarter Sessions assembled, are hereby authorised to direct the several Courts of Justice within their respective Jurisdictions to be properly ventilated; to order Cloaths to be provided for the Prisoners when they see Occasion; to prevent the Prisoners from being kept under Ground, whenever they can do it conveniently; and to make such other Orders, from Time to Time, for restoring or preserving the Health of Prisoners, as they shall think necessary.

They are to make Orders as they shall think fit.

III. And be it further enacted by the Authority aforesaid, That the Expences attending the Execution of the Orders of the said Justices, made in pursuance of this Act, so far as the same shall respect County Gaols and Prisons, and Courts of Justice belonging to Counties, shall be borne and defrayed, at all Times, out of the respective County Rates; and so far as the same shall respect the Gaols and Prisons, and Courts of Justice, of particular Cities, Towns Corporate, Cinque Ports, Liberties, Franchises, or Places, that do not contribute to the Rates of the Counties in which they are respectively situated, such Expences shall be defrayed out of the Publick Stock or Rates of such Cities, Towns Corporate, Cinque Ports, Liberties, Franchises, or Places, having such exclusive Jurisdictions, to which such Gaols, or Prisons or Courts of Justice, shall respectively belong: And if any Gaoler or Keeper of any Prison shall, at any Time, neglect or disobey the Orders of such Justices made in pursuance of this Act, he may be proceeded against in a summary Way, by Complaint made to the Judges of Assize, or to the Justices, in their Quarter Sessions; and if he be found guilty of such Neglect or Disobedience, he shall pay such Fine as the Judges of Assize, or Justices, shall impose, and shall be committed in case of Non-payment.

Expences how to be defrayed.

Gaolers disobeying Orders to be proceeded against in a summary Way.

C A P. LX.

An Act for indemnifying the Innkeepers and Victuallers within the Hundred of *Godley*, in the County of *Surrey*, against the Penalties to which they are or may be liable, for selling Ale, Beer, Wine, or Spirituous Liquors, without proper Licences, upon certain Conditions.

WHEREAS the several Innkeepers and Victuallers within the Hundred or Division of *Godley*, in the County of *Surrey*, did, in Obedience to a Summons from the High Constable of the said Hundred, attend at a Meeting of the Justices of the Peace, held at *Chertsey*, in the said Hundred, on the first Day of *September*, one thousand seven hundred and seventy-three, and obtained a Renewal of their Licences for selling of Ale and Beer in the usual Form; and since the Renewal of such Licences, several of the said Innkeepers and Victuallers, whose Licences for Sale of Spirituous Liquors were expired, applied to the proper Officer of his Majesty's Excise for the Renewal of such Licences, who refused to renew the same, alleging that he was restrained by Law from so doing, the said Licences for the Sale of Ale and Beer not having been signed by two Justices qualified by Law to sign the same; and the Time appointed by Act of Parliament for renewing Licences for selling Ale and Beer being elapsed before the said Innkeepers and Victuallers were acquainted with any Informality or Doubt concerning the Legality of such Licences, no other Licences could be procured: And whereas it is doubtful, whe-

Preamble.

ther the said Innkeepers and Victuallers can at present carry on their Trades or Callings without incurring the Pains, Penalties, and Disabilities imposed and inflicted by several Acts of Parliament for selling Ale, Beer, Wine, and Spirituous Liquors, without Licences, which may involve themselves and Families in utter Ruin, although they have not been guilty of any Fault or Neglect on their Part: To the End therefore that the said Innkeepers and Victuallers may be indemnified, and carry on their said Trades or Callings, without being subject to such Pains, Penalties, and Disabilities, as aforesaid, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Licences granted to the Innkeepers and Victuallers of the Hundred or Division of *Godley*, in the County of *Surrey*, on the said first Day of *September*, one thousand seven hundred and seventy-three, as aforesaid, shall be, and the same are hereby declared to be good, valid, and effectual in the Law, for the several Purposes therein respectively expressed, and to all other Intents and Purposes whatsoever.

The Licences granted in 1773 to be valid, for the Purposes expressed.

All Suits commenced against the Innkeepers of *Godley*, for selling Beer, Wines, &c. since 1773, are hereby made void. No Person to be intitled to this Benefit, unless he obtains a legal Licence before July 10, 1774; which the Commissioners of Excise and Stamp Duties are required to grant. Publick Act.

II. And be it further enacted by the Authority aforesaid, That all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be prosecuted or commenced against any of the said Innkeepers or Victuallers, for selling Ale, Beer, Wine, or Spirituous Liquors, without a proper Licence, since the said first Day of *September*, one thousand seven hundred and seventy-three, be, are, and shall be, discharged and made void by virtue of this Act.

III. Provided always, and be it further enacted by the Authority aforesaid, that no Person shall be intitled to, or receive any Benefit or Indemnification from, this Act, unless he shall, before the tenth Day of *July*, one thousand seven hundred and seventy-four, or before the Expiration of the Term for which their present Licences are respectively granted, apply for and obtain such Licence or Licences as are by Law required for the selling of Wine or Spirituous Liquors; which Licence or Licences his Majesty's Commissioners of Excise, and his Majesty's Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, or Paper, and all other Persons authorised and empowered by them respectively, are hereby authorised and required to grant, in the same Manner as the same ought to have been granted in case the said Licences for selling Ale and Beer had been originally good, valid, and effectual in the Law as aforesaid.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

C A P. LXI.

An Act to explain and amend two several Acts of Parliament, for erecting Hospitals and Workhouses within the City and County of the City of *Exon*, for the better employing and maintaining the Poor there; and to raise further Sums of Money for the more effectually carrying the Purposes of the said Acts into Execution.

C A P. LXII.

An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Parishes of *Saint Giles in the Fields*, and *Saint George Bloomsbury*, in the County of *Middlesex*.

C A P. LXIII.

An Act for building a Bridge cross the River *Air*, at *Carlton*, in the West Riding of the County of *York*.

C A P. LXIV.

An Act to explain so much of an Act, made in the last Session of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), as relates to the Method of ascertaining the Prices of Corn and Grain exported.

Preamble.

WHEREAS by an Act, made in the last Session of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), it is, amongst other Things, enacted, That the several Prices at which certain Species of Corn and Grain, therein enumerated, shall be prohibited to be exported from this Kingdom, and also that the Prices at which the respective Bounties granted by the said Act are to be allowed upon the Exportation of certain Species of Corn and Grain, shall be ascertained according to the Methods directed by the several Acts of Parliament, for ascertaining the Rates and Prices of Corn and Grain imported, or as directed by the said recited Act: And whereas the Prices, with respect to Corn and Grain imported into that Part of *Great Britain* called *England, Wales*, and the Town of *Berwick upon Tweed*, are, by the several Acts now in Force, directed to be ascertained at every Quarter Sessions for the respective Counties within the same; which Prices being so ascertained, cannot be altered until the next succeeding Quarter Sessions, although the Prices of Corn and Grain may, in the mean Time, be either very much increased or diminished: And whereas, by the aforesaid Act, made in the last Session of Parliament, the Prices of Corn and Grain, and Oat-meal, in that Part of *Great Britain* called *Scotland*, are to be ascertained by the Sheriff or Steward Deputes, or their Substitutes, of the several Counties within which there are Ports, or Places, for the Importation and Exportation of Goods and Merchandises, four Times in the Year; that is to say, upon the first Day of *November*, first Day of *February*, first Day of *May*, and first Day of *August*, in Manner therein directed, which Prices

so ascertained cannot be altered until the Expiration of three Months from the Time of their Ascertainment, although the Prices of Corn and Grain, and Oat-meal, may, in the mean Time, be either very much increased or diminished; and it being expedient that the Exportation of Corn and Grain from this Kingdom, and the Allowance of the several Bounties thereon, should be governed and regulated, according to the real Average Prices of such Corn and Grain, and Oat-meal, at the respective Times when, and Places from whence, the same shall be shipped for Exportation: 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 first Day of June, one thousand seven hundred and seventy-four, the Prices of Corn and Grain, and Oat-meal, exported from this Kingdom, shall be regulated and governed by the Average Prices at which such Corn or Grain, and Oat-meal, shall be respectively sold in the publick Market, at or nearest to the Port or Place from whence such Corn or Grain, or Oat-meal, shall be intended to be exported, on the last Market-day preceding the shipping of such Corn or Grain, and the respective Bounties granted by the said recited Act shall, in like Manner, be paid and allowed, according to such Prices, by the same Rules and Regulations, and subject to the same Securities, Restrictions, Oaths, Penalties, and Forfeitures, as the former Bounties on Corn or Grain exported were paid and allowed, and were subject and liable to, before the making the said recited Act of the last Session of Parliament; any Thing therein contained to the contrary notwithstanding.

After June 1.
1774, Prices of
Corn and Grain
how to be regu-
lated.

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing hereinbefore contained shall extend, or be construed to extend, to prohibit any Person from exporting any Corn or Grain, or Oat-meal, or from receiving the Bounty thereon, which shall be actually shipped or laid on Board any Ship or Vessel, for that Purpose, within twenty Days from the Entry thereof at the Custom-house for Exportation, although the Prices of Corn at such Port may have arisen above the Rates in the said Act respectively specified, after the Entry thereof, and before the Expiration of twenty Days from such Entry; any Thing hereinbefore contained to the contrary notwithstanding.

Nothing con-
tained to prohib-
it the Exporta-
tion of Corn
or Grain if ship-
ped so Days
from the Entry
thereof.

C A P. LXV.

An Act to alter and amend an Act, passed in the twenty-fifth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for annexing certain forfeited Estates in Scotland to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof for the better civilizing and improving the Higblands of Scotland, and preventing Disorders there for the future*); so far as the same relates to the granting Leases of the said Estates.

WHEREAS by an Act, made in the twenty-fifth Year of his late Majesty's Reign (intituled, *An Act for annexing certain forfeited Estates in Scotland to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof for the better civilizing and improving the Higblands of Scotland, and preventing Disorders there for the future*); it is, amongst other Things, enacted, That the Commissioners and Trustees to be appointed by his Majesty, his Heirs and Successors, shall have Power to grant Leases of the said Estates, or any Part thereof, in Manner therein specified; but that no Person shall be capable of taking or enjoying any Lands or Tenements, other than Mines or Fishings, by virtue of such Lease or Leases, of greater annual Rent than twenty Pounds at the utmost: And whereas the Commissioners and Trustees, appointed by his Majesty, finding that many Farms of the said Estates, formerly let at or under twenty Pounds of yearly Rent, have, by Inclosing and other Improvements, and by the Increase of the Price of Horned Cattle, and other Produce of the said Farms, become more valuable, so as they may afford Rent above twenty Pounds yearly, and which the Tenants or others are willing to pay, were the Commissioners enabled to grant Leases of such Farms at a higher Rent than twenty Pounds: And whereas the dividing Farms, which have been let at the Rent of twenty Pounds, or under, and might now, or may hereafter, be let at a higher Rent than twenty Pounds, would be difficult and incommo- dious, especially in the Case of inclosed Farms, and would create much Expence in building Houses upon inconvenient Farms: For Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Commissioners and Trustees, and such Commissioners and Trustees as shall be from Time to Time nominated and appointed by his Majesty, his Heirs and Successors, or a Quorum of them, to let and grant Leases of Farms at a higher Rent than twenty Pounds, when they shall find it proper, and which Leases shall be good and effectual to the Lessees; any Thing in the before-recited Act of the twenty-fifth Year of the Reign of his late Majesty so the contrary notwithstanding.

Preamble.
Act 25 Geo. 2.

The Commis-
sioners appoint-
ed by the said
Act to grant
Leases of Farms
at a higher Rent
than 20l.

II. Provided always, That no such Lease or Leases to be made or granted at a higher Rent than twenty Pounds, shall comprize Lands which were let for more Rent than twenty Pounds, at any Time preceding the Year one thousand seven hundred and fifty-six.

No such Lease to
comprize Lands
let for more be-
fore 1756.

C A P. LXVI.

An Act for the Repeal of all former Acts concerning the Longitude at Sea, except so much thereof as relates to the Appointment and Authority of the Commissioners thereby constituted, and also such Clauses as relate to the constructing, printing, publishing, vending, and licensing of Nautical Almanacks, and other useful Tables; and for the more effectual Encouragement and Reward of such Person and Persons as shall discover a Method for finding the same, or shall make useful Discoveries in Navigation; and for the better making Experiments relating thereto.

Preamble.
Act 18 Anne.
Act 14 Geo. 2.
Act 26 Geo. 2.
Act 1 Geo. 3.
Act 3 Geo. 3.
Act 5 Geo. 3.
Act 10 Geo. 3.
After June 24, 1774, the recited Acts repealed, except two Clauses.

WHEREAS an Act was made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea; and also another Act was made in the fourteenth Year of the Reign of his late Majesty King George the Second, intituled, An Act for surveying the Chief Ports and Headlands on the Coasts of Great Britain and Ireland, and the Islands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof; and also another Act was made in the twenty-sixth Year of the Reign of his said late Majesty, intituled, An Act to render more effectual an Act, made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude; and to enlarge the Number of Commissioners for putting in Execution the said Act; and also another Act was made in the second Year of the Reign of his present Majesty, intituled, An Act for rendering more effectual an Act, made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to making Experiments of Proposals made for discovering the Longitude; and also another Act was made in the third Year of the Reign of his present Majesty, intituled, An Act for the Encouragement of John Harrison to publish and make known his Invention of a Machine or Watch, for the Discovery of the Longitude at Sea; and also two other Acts were made in the fifth Year of the Reign of his present Majesty, the one intituled, An Act for rendering more effectual an Act, made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude; and the other, intituled, An Act for explaining and rendering more effectual two Acts, one made in the twelfth Year of the Reign of Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea; and the other in the twelfth Year of the Reign of King George the Second, intituled, An Act to render more effectual an Act, made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude; and to enlarge the Number of Commissioners for putting in Execution the said Act; and also another Act was made in the tenth Year of his present Majesty, intituled, An Act for rendering more effectual several Acts, for providing a publick Reward for discovering the Longitude at Sea; for improving the Lunar Tables constructed by the late Professor Mayer; and for encouraging Discoveries and Improvements useful to Navigation: And whereas it is highly expedient to encourage, by further Rewards, such other Methods and Experiments as may conduce to the Discovery of the Longitude at Sea, and promote farther Improvements and Discoveries in Navigation; and to make more effectual Regulations for the examining, trying, and judging of all Proposals, Experiments, and Improvements, relating thereunto; 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 each and every of the said recited Acts (save and except such Clause and Clauses in each or any of them as relate to the Appointment or Authority of all or any of the Commissioners thereby respectively constituted, and also such Clause and Clauses as relate to the constructing, printing, publishing, vending, and licensing of Nautical Almanacks, and other useful Tables), shall, from and after the twenty-fourth Day of June, one thousand seven hundred and seventy-four, be, and are hereby repealed.

H. And, for a due and sufficient Encouragement to any Person or Persons who shall discover any Method or Methods for finding the said Longitude, be it enacted by the Authority aforesaid, That the first Author or Authors, Discoverer or Discoverers, of each and every such Method or Methods, his or their Executors, Administrators, or Assigns, shall be intitled to, and have the Rewards or Sums of Money herein-after mentioned; that is to say, In case the Method proposed shall be, by Means of a Time-keeper, the Principles whereof have not hitherto been made publick, to the Reward or Sum of five thousand Pounds, if such Method determines the said Longitude to one Degree of a great Circle, or sixty geographical Miles; to the Reward or Sum of seven thousand five hundred Pounds, if it determines the same to Two-thirds of that Distance; and to the Reward or Sum of ten thousand Pounds, if it determines the same to one Half of the said Distance: Which respective Rewards shall be due and paid when such Method shall have been sufficiently tried by the following Experiments and Voyages to be made and performed by such Persons, and under such Restrictions, as the said Commissioners for the Discovery of Longitude at Sea, respectively constituted by the above-recited Acts, or the major Part of them, shall think fit to appoint and direct; (that is to say) When and so soon as two or more Time-keepers, of the same Construction,

Sums, as Rewards, given to Authors,

struction, shall have been tried at the same Time, for the Space of twelve Months, at the Royal Observatory at *Greenwich*, then in two Voyages round the Island of *Great Britain*, in contrary Directions, and in such other Voyages to different Climates as the said Commissioners shall think fit to direct and appoint; and after their Return from such Voyages, or any of them, for such longer Time, at the said Observatory, not exceeding twelve Months, as the said Commissioners shall judge necessary; and also when and so soon as the said Commissioners, or two-thirds of them, at the least, shall, after such Experiments and Voyages have been made and performed as aforesaid, have declared and determined that such Method is generally practicable and useful, and sufficiently exact to determine the Longitude at Sea within the Degrees or Limits aforesaid, in all Voyages for the Space of six Months (Impediments from cloudy and hazy Weather excepted); and also when and so soon as the Principles and Practice of such Method are fully discovered and explained to the Satisfaction of the said Commissioners, or two-thirds of them at least; and such Author or Authors, Discoverer or Discoverers, shall have delivered up and assigned over to the said Commissioners, for the Use of the Publick, the absolute Property of such Time-keepers as shall have been tried by such Experiments and Voyages as aforesaid, together with all Places, Descriptions, Theories, and Explanations, belonging or relating to the same, and which shall contain the Whole of such Discovery of the Longitude; and in case the Method proposed shall be by Means of improved Solar and Lunar Tables; then, and in such Case, the Author or Authors of such improved Solar and Lunar Tables, their Executors, Administrators, or Assigns, shall be intitled to and have the Reward or Sum of five thousand Pounds, if such Solar and Lunar Tables shall prove sufficiently exact to shew the Distance of the Moon from the Sun and Stars in the Heavens, within fifteen Seconds of a Degree, answering to about seven Minutes of Longitude, after making an Allowance of half a Degree for the Errors of Observation; and when it shall appear to the Satisfaction of the said Commissioners, or two-thirds of them, at least, that such Tables are constructed entirely upon the Principles of Gravitation laid down by *Sir Isaac Newton*, (except with respect to those Elements which must necessarily be taken from astronomical Observations), and also when the Truth of such Tables shall have been further confirmed and proved by Comparison with a Series of astronomical Observations made during a Period of eighteen Years and a Half, which is deemed the Period of the Irregularities of the Lunar Motions; which Reward shall be due and paid, when the said Commissioners, or two-thirds of them, at least, shall have declared and determined, that such Tables are sufficiently exact, to shew the Distance of the Moon from the Sun and Stars in the Heavens, within the Limits above mentioned; and also when the Author or Authors of such improved Solar and Lunar Tables, his or their Executors, Administrators, or Assigns, shall have delivered up, and assigned over to the said Commissioners, for the Use of the Publick, the absolute Right and Property to and in the same, together with the Theory relating thereunto; and in case any other Method shall be proposed for finding the Longitude at Sea besides those before mentioned, that then, and in such Case, the first Author or Authors, Discoverer or Discoverers, of any such Method, his or their Executors, Administrators, or Assigns, shall be intitled to and have the Reward or Sum of five thousand Pounds, if it shall determine the said Longitude within one Degree of a great Circle, or sixty geographical Miles; to the Reward or Sum of seven thousand five hundred Pounds, if it shall determine the same to Two-thirds of that Distance; and to the Reward or Sum of ten thousand Pounds, if it shall determine the same to one Half of the same Distance; which respective Rewards shall be due and paid, so soon as the said Commissioners, or Two-thirds of them, at least, shall, after proper Trial has been made by their Appointment and Direction, have determined that such Method shall be generally practicable and useful for finding the Longitude at Sea within the respective Limits above mentioned.

when to be paid.

III. And be it further enacted by the Authority aforesaid, That when and so soon as any such Method or Methods, for the Discovery of the said Longitude, shall be tried, as before mentioned, and found practicable and useful at Sea, and sufficiently exact to determine the Longitude within any of the Degrees or Limits aforesaid, the said Commissioners, or Two-thirds of them, shall certify the same, under their Hands and Seals, to the Commissioners of the Navy for the Time being, together with the Name or Names of the Person or Persons who shall be the Author or Authors of such Method or Methods; and upon the Receipt of such Certificate, the said Commissioners of the Navy are hereby authorized and required to make out a Bill or Bills upon the Treasurer of the Navy, for the respective Sum or Sums of Money to which the Author or Authors of such Proposals, his or their Executors, Administrators, or Assigns, shall be intitled by virtue of this Act; which Sum or Sums the said Treasurer is hereby required to pay to the said Author or Authors, their Executors, Administrators, or Assigns accordingly, out of any Money that may be in Hands unapplied to the Use of the Navy, according to the true Intent and Meaning of this Act.

Treasurer of the Navy to pay the Sums, or Rewards, to the Author.

IV. And whereas the several Sums of Money granted by the above now-recited Acts, towards making Experiments of Proposals for discovering the Longitude at Sea, and for improving the Lunar Tables, and making other Discoveries or Improvements useful to Navigation, are, by reason of the several Payments made by the Treasurer of the Navy, pursuant to the Directions of the said Acts, not only expended, but, moreover, several Debts have been incurred, and are now growing due for Services tending to the Benefit of Navigation, and, more particularly, for defraying the Expence of the two Observers who have been sent out to make nautical and astronomical Observations in the Southern Hemisphere: And whereas it is highly necessary that the said Debts should be discharged, and that ingenious Persons should be encouraged to make further Discoveries and Improvements useful to Navigation; be it further enacted by the Authority aforesaid, That the above mentioned Commissioners for the Discovery of Longitude at Sea shall and may certify the Amount of such Debts, together with the Names of the Persons to whom the same shall be respectively due, under their Hands and Seals, to the Commissioners of the Navy, who are hereby authorized and required to make out a Bill or Bills upon the Treasurer of the Navy for such Sum or Sums of Money as may be necessary for discharging the said Debts; which Sum or Sums

Commissioners of Longitude to certify Debts incurred by former Acts to the Commissioners of the Navy

of Money the said Treasurer is hereby required to pay to the Person or Persons to whom the same shall be respectively due, out of any Money which shall be in his the said Treasurer's Hands unapplied as aforesaid.

They are also to receive Proposals for discovering the Longitude,

and certify the same, with the Names of the Authors, to the Commissioners of the Navy.

Persons making useful Discoveries, to receive less Rewards, agreeable to the Judgment of the Commissioners.

The Sums payable by the Treasurers of the Navy not to exceed 5000 l.

No Person to receive more for Discoveries than the greatest Sum hereby provided.

The Commissioners to administer an Oath for carrying the Act into Execution.

V. And be it further enacted by the Authority aforesaid, That the said Commissioners for the Discovery of Longitude at Sea, or any five or more of them, shall have full Power and Authority to hear and receive any Proposal or Proposals that shall be made to them for discovering the said Longitude, or for making any other useful Improvement in Navigation; and in case the said Commissioners, or any five or more of them, shall be so far satisfied of the Probability of any such Discovery or Improvement as to think it proper to cause Experiments to be made thereof, they shall certify the same, together with the Names of the Author or Authors of such Proposal or Proposals, under their Hands and Seals, to the Commissioners of the Navy, who are hereby authorized and required to make out a Bill or Bills upon the Treasurer of the Navy for any such Sum or Sums of Money as the said Commissioners for the Discovery of Longitude at Sea, or any five or more of them, shall think necessary for making such Experiments; which Sum or Sums the Treasurer of the Navy is hereby required to pay immediately to such Person or Persons as shall be appointed by the said Commissioners to make those Experiments out of any Money which shall be in his the said Treasurer's Hands unapplied as aforesaid.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall make any Discovery for finding the Longitude at Sea, which, though not of so great Use as to be intitled to any of the great Rewards above specified, shall nevertheless be adjudged by the said Commissioners for the Discovery of Longitude at Sea, or the major Part of them, to be of considerable Use to the Publick, or shall make any other Discovery or Discoveries, Improvement or Improvements, useful to Navigation; then, and in such Case, such Person or Persons, his or their Executors, Administrators, or Assigns, shall, from Time to Time, have and receive such less Reward or Sum or Sums of Money as the said Commissioners, or the major Part of them, shall think reasonable; and certify accordingly, under their Hands and Seals, to the Commissioners of the Navy, who are hereby authorized and required to make out a Bill or Bills upon the Treasurer of the Navy for any such Sum or Sums of Money which the said Treasurer is hereby authorized and required to pay immediately to such Person or Persons, his or their Executors, Administrators, or Assigns, out of any Money that shall be in his the said Treasurer's Hands unapplied as aforesaid.

VII. Provided always, That all such Sum or Sums of Money as shall be paid by the Treasurer of the Navy by virtue hereof, as well for the Purpose of discharging the several Debts which have been incurred, and are now growing due for Services tending to the Benefit of Navigation, as of making such Experiments as aforesaid, and of rewarding, in a lesser Degree, lesser Discoveries for finding the Longitude at Sea, and also other Discoveries and Improvements useful to Navigation, do not altogether exceed the Sum of five thousand Pounds: And also provided, That in case any such Reward, or Sums of Money, to be given for any of those Purposes shall not exceed the Sum of one thousand Pounds, that then, and in such Case, it shall and may be certified to the Commissioners of the Navy as aforesaid, under the Hands and Seals of the said Commissioners for the Discovery of Longitude, or any five or more of them; but if it shall exceed the Sum of one thousand Pounds, that then it shall be certified by the said Commissioners, or the major Part of them.

VIII. Provided also, and it is hereby further enacted, That in case any Person or Persons who shall and may have received any Sum or Sums of Money, by virtue of this Act, as a Reward for any Method of discovering the Longitude at Sea, shall afterwards become intitled to any of the greater Rewards appointed by this Act, for or on account of the same Method; that then, and in such Case, such Sum or Sums of Money as they shall or may have received as aforesaid, shall be considered as Part of such greater Reward, and deducted therefrom accordingly; and that no Person shall receive more in the Whole for any one Method for discovering the Longitude at Sea than the greatest Reward appointed for such Method by this Act.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners for the Discovery of Longitude at Sea, or the major Part of them, and they are hereby authorized and impowered, for their better Satisfaction, if they see Occasion, to administer an Oath or Oaths to such Person or Persons as they shall think proper, for the Purposes of carrying this Act into Execution; which Oath or Oaths it shall and may be lawful to and for any two or more of the said Commissioners to administer accordingly; and in case any such Person or Persons shall wilfully swear falsely and untruly, every such Person shall be liable to, and suffer the Pains and Penalties inflicted by the several Statutes made, and now in Force, against wilful Perjury.

C A P. LXVII.

An Act to continue the several Laws therein mentioned, for granting Liberty to carry Rice from his Majesty's Provinces of *Carolina* and *Georgia*, in *America*, directly to any Part of *Europe*, Southward of *Cape Finisterre*; for granting the like Liberty to export Rice from *South Carolina* and *Georgia* directly, to any Part of *America*, to the Southward of the said Provinces; for granting the like Liberty in the Exportation of Rice from *East* and *West Florida*, and from any Part of *America*, Southward of *South Carolina* and *Georgia*.

Preamble.

WHEREAS the Laws herein-after mentioned are near expiring; 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

with the 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 third Year of the Reign of his late Majesty, intituled, *An Act for granting Liberty for carrying Rice from his Majesty's Province of Carolina in America, directly to any Part of Europe, Southward of Cape Finisterre, in Ships built in and belonging to Great Britain, and navigated according to Law*, which was to be in Force for five Years, from the twenty-ninth Day of *September*, one thousand seven hundred and thirty, and from thence to the End of the then next Session of Parliament; and also an Act, made in the eighth Year of the Reign of his said late Majesty, to continue the said Act from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and forty two, and from thence to the End of the then next Session of Parliament, and to extend that Liberty to his Majesty's Province of *Georgia in America*; which said Acts, by several subsequent Acts made in the fifteenth, sixteenth, twentieth, twenty-seventh, and thirty-third Years of his said late Majesty's Reign, and in the seventh Year of his present Majesty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Act 3 Geo. 3.

Act 8 Geo. 3.

further continued till Sept. 29, 1781.

II. And be it further enacted by the Authority aforesaid, That an Act, made in the fourth Year of his present Majesty's Reign, intituled, *An Act for granting, for a limited Time, a Liberty to carry Rice from his Majesty's Provinces of South Carolina and Georgia, directly to any Part of America to the Southward of the said Provinces, subject to the like Duty as is now paid on the Exportation of Rice from the said Colonies to Places in Europe situate to the Southward of Cape Finisterre*, which was to continue in Force for five Years, from the twenty-fourth Day of *June*, one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament; and also a Clause in an Act, passed in the fifth Year of his said Majesty's Reign, which gave Liberty to export Rice from *North Carolina*, in the same Manner, and under the like Entries, Securities, Restrictions, Regulations, Limitations, Duties, Penalties, and Forfeitures, as were enacted by the said Act, made in the fourth Year of his present Majesty's Reign, with respect to carrying Rice to *South Carolina and Georgia*, which have Continuance until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Act 4 Geo. 3.

and a Clause in Act 5 Geo. 3.

further continued till June 24, 1781.

III. And be it further enacted by the Authority aforesaid, That an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act for extending like Liberty in the Exportation of Rice from East and West Florida to the Southward of Cape Finisterre in Europe*, as is granted by former Acts of Parliament to *Carolina and Georgia*, which was to continue in Force from the first Day of *August*, one thousand seven hundred and seventy, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament; and which Act was amended by an Act, made in the eleventh Year of the Reign of his said Majesty, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Act 10 Geo. 3.

further continued till Sept. 29, 1781.

C A P. LXVIII.

An Act to prevent Frauds in the buying and selling of Hops.

WHEREAS divers Frauds are practised in the packing or bagging of Hops; for Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, when any Officer of Excise shall attend for the Purpose of bagging any Hops pursuant to the Directions of an Act, passed in the ninth Year of the Reign of Queen *Anne* (intituled, *An Act for laying a Duty on Hops*), such Officer shall, upon Pain of forfeiting for every Neglect the Sum of five Pounds, weigh the Bags or Pockets intended by the Planters, Growers, or Owners of the Hops to be used for the bagging thereof; and shall, before the Hops shall be put therein, mark, or cause to be marked, on the Outside of each such Bag or Pocket, in plain and legible Letters or Characters, with Ink or Paint, the true Weight or Tare thereof; and that the Excise Officer shall also mark, or cause to be marked, on each such Bag or Pocket, in Manner aforesaid, the Planter or Planters Name or Names, in full Length, and the Place of his or their Abode, together with the Date of the Year in which such Hops were grown: And if any Excise Officer shall put his Mark of the Weight of the Hops upon any Bag, before such Bag, and Hops therein contained, shall have been weighed by him, he shall, for each Offence, forfeit the Sum of forty Shillings.

Preamble.

Officers to weigh the Bags for Hops, on Penalty of 5 l. for every Neglect;

and shall, before Hops be put therein, mark on the Outside the Weight thereof; the Planters Names; and when such Hops were grown. Officers Marks to be sufficient Proof.

II. And it is hereby declared, That the Marks of the Excise Officer, hereby directed to be made, shall be Proof sufficient that the Planter, Grower, or Owner of Hops, has conformed to the Directions of this Act.

III. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures for Offences against this Act, shall, upon Information and Proof of the Offences respectively, before any one Justice of the Peace for the County or Place where the Offence shall be discovered, or wherein the Offender shall be or reside, either by the Confession of the Party or Parties offending, or by the Oath of

Penalties to be levied by Distress and Sale of Offenders Goods;

one or more Witnesses or Witnessés (which Oath such Justice of the Peace is hereby impowered and required to administer without Fee or Reward), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby impowered to grant), and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand, unto the Owner or Owners of such Goods and Chattels; and one Half of the Penalties and Forfeitures, when so paid or levied, shall, from Time to Time, be paid to the Person who shall give Information of any such Offence; and the other Half shall be paid to the Overseer or Overseers of the Poor of the Parish or Place where the Offence shall be committed, and applied to the Use of the Poor thereof respectively.

one Half to the Informer, and the other to the Poor.

Persons forging Marks to forfeit 30 l.

Complaint to be made to some Justice, or no Person liable to be prosecuted.

Publick Act.

IV. And be it further enacted, That if any Person or Persons shall forge, counterfeit, alter, or wilfully obliterate any Mark, by this Act directed to be put by the Officers of Excise upon any such Bag or Pocket; every such Person so offending, and being thereof legally convicted before a Justice of the Peace, shall be subject to a Penalty of ten Pounds; to be levied, paid, and applied in Manner and Form above directed: And in Default of Payment thereof, shall suffer six Months Imprisonment; or until he shall have paid the said Penalty.

V. Provided always, and it is hereby declared, That no Person shall be liable to be prosecuted for any Penalty for any Offence against this Act, unless Complaint shall be made thereof to some Justice of the Peace for the County or Place where the Cause of Complaint shall arise, or be discovered within six Calendar Months next after the Sale of any such Hops; any Thing herein contained to the contrary notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. LXIX.

An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-four. 1,250,000 l.

C A P. LXX.

An Act for applying a certain Sum of Money, for calling in, and recoining, the deficient Gold Coin of this Realm; and for regulating the Manner of receiving the same at the Bank of *England*; and of taking, there, an Account of the Deficiency of the said Coin, and making Satisfaction for the same; and for authorising all Persons to cut and deface all Gold Coin, that shall not be allowed to be current by his Majesty's Proclamation.

Preamble.

WHEREAS the Gold Coin of this Realm has been greatly diminished by clipping, filing, and other evil Practices, particularly of late Years, in Violation of the Laws of this Realm; and it has been a Practice to export and melt down the new and perfect Coin, soon after it has been issued for private Advantage, to the great Detriment of the Publick, and the like Practice will continue while Pieces differing greatly in Weight are current under the same Denomination, and at the same Rate and Value: And whereas, for preventing the Mischiefs to which the Publick are exposed, it is proper, in the first place, that all Guineas weighing less than five Pennyweights, eight Grains; and all Half Guineas, weighing less than two Pennyweights, sixteen Grains; and all Quarter Guineas, weighing less than one Pennyweight, and eight Grains; should be called in, and recoined, according to the established Standard of the Mint, both as to Weight and Fineness; and it is proper likewise that the same should be called in by Degrees, and as fast as the Occasions of Circulation will allow, and as the Officers of the Mint are able to recoin the same: And whereas the Lords Spiritual and Temporal, and Commons, in Parliament assembled, have, in their Address, most humbly besought your Majesty, that your Majesty would be graciously pleased to issue your Royal Proclamation or Proclamations, and thereby appoint such Days as to Your Majesty should seem meet, after which the said Guineas, Half Guineas, and Quarter Guineas, should not be allowed in Payment, or to pass, except only to the Collectors or Receivers of the Publick Revenues, or to such Persons as your Majesty shall authorise to receive and exchange the same; and that your Majesty would appoint certain other Days, after which the said Guineas, Half Guineas, and Quarter Guineas, should not be allowed to pass in any Payment whatsoever, or to be exchanged in Manner 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 the Tellers in the Receipt of his Majesty's Exchequer, and the several Receivers General, and their Deputies, and the particular Receivers and Collectors, and Officers, who are or shall be intrusted with the Receipt or Collection of his Majesty's Revenues, Impositions, Duties, Taxes, Aids, or Supplies, within the Kingdom of *Great Britain*, and the Vice Treasurer and Receiver General, and Paymaster General, of all his Majesty's Revenues in the Kingdom of *Ireland*, and his or or their Deputy or Deputies, and the Teller of the Exchequer there, and all Collectors or Receivers, and other Officers, who are or shall be intrusted with the Receipt or Collection of the said Revenues, shall, and by this Act they are severally required and enjoined, to accept and take, for his Majesty's Use, for or upon account of any of the said Revenues, Impositions, Duties, Taxes, Aids,

Collectors of the Revenues, &c. to receive the diminished Gold Coin:

Aids, or Supplies respectively, during such Time or Times as shall be appointed and limited in his Majesty's Proclamation or Proclamations, to be issued in Manner aforesaid, such Guineas, Half Guineas, and Quarter Guineas, being the Gold Coin of this Realm, at the Rates they were respectively coined, so as the Deficiency in Weight of any of them does not exceed the Deficiency at which they shall be allowed respectively to pass in Payment to the said Tellers, Vice Treasurer, Receivers or Collectors, by the said Proclamation or Proclamations.

II. And whereas the Lords Spiritual and Temporal, and Commons, in Parliament assembled, have, in their said Address to your Majesty, delivered it as their Opinion, that the Publick do bear the Loss arising from the Deficiency and Recoinage of the said Guineas, Half Guineas, and Quarter Guineas, provided such Deficiency doth not exceed the Rates settled by the Order of the Commissioners of your Majesty's Treasury of the twenty-third Day of July, one thousand seven hundred and seventy-three, and provided such Guineas, Half Guineas, and Quarter Guineas, be offered in Payment to the Receivers or Collectors of the Publick Revenue, or are brought to such Person or Persons as shall be authorized to receive and exchange the same, within certain Times to be appointed by your Majesty's Proclamation or Proclamations: And whereas the Governor and Company of the Bank of England have consented and agreed to receive and exchange all the said Guineas, Half Guineas, and Quarter Guineas, that shall be brought to their Office in London, on Condition that the Deficiency of the said Monies be made good to them, and that they be paid the necessary Charge of melting down and casting the same into Ingots, and assaying the same: Now, in order that an Account may be more easily settled, and exactly adjusted, for the Purposes before mentioned, be it further enacted by the Authority aforesaid, That the Tellers of his Majesty's Exchequer, and the Receivers General of the several Revenues, Impositions, Duties, Taxes, Aids, or Supplies, in Great Britain, resident within the Cities of London and Westminster, do, and they are hereby strictly enjoined and required, to convey, or cause to be conveyed, all and every the said deficient Gold Coin, received or taken by them, as soon as conveniently may be, and within fourteen Days after the Receipt thereof, at farthest, to the Office of the Governor and Company of the Bank of England, in London, there to be exchanged for such other Coin as shall from thenceforth be allowed to pass in Payment, and be current; and that the Vice Treasurer and Receiver General, and Paymaster General of all his Majesty's Revenues in the Kingdom of Ireland, and his or their Deputy or Deputies, and Teller of his Majesty's Exchequer there, do, and they are hereby strictly enjoined and required, in like Manner, to convey, or cause to be conveyed, all and every the said deficient Gold Coin received or taken by them, as soon as conveniently may be, and within forty Days after the Receipt thereof at farthest, to the said Office of the Governor and Company of the Bank of England, in London, there to be exchanged for such other Coin as shall from thenceforth be allowed to pass in Payment, and be current; and the Coin which the said Tellers or Vice Treasurer, or his or their Deputy or Deputies, or Receivers General, shall receive in Exchange for the said deficient Coin, shall be placed by them to the respective Accounts of the said particular Revenues, Taxes, Loans, or other Branches to which the deficient Coin did belong, and shall be issued and applied to the same Uses and Purposes respectively to which the said deficient Gold Coin was appropriated, and ought to have been issued and applied, without being diverted or divertible to any other Use or Purpose, or being misapplied, under the Penalty of incurring the same Forfeitures and Disabilities by the Officers, or other Persons concerned therein, as they would have incurred for diverting or misapplying the Money of such Taxes, Revenues, Loans, or other Branches, in case the same were not exchanged in Manner before mentioned.

III. And be it further enacted by the Authority aforesaid, That all Persons who shall be appointed by his Majesty, within the Kingdoms of Great Britain and Ireland, to receive and exchange the said deficient Gold Coin, do, and they are hereby respectively required, and strictly enjoined, from Time to Time, to remit or send, or cause to be remitted or sent, all and every the said deficient Coin, received or taken, or coming to their Hands, according to his Majesty's Proclamation or Proclamations, as soon as conveniently may be after the Receipt thereof, to the Office of the Governor and Company of the Bank of England, in London, and in like Manner to send, or cause to be sent, to the said Office, the Residue of such deficient Coin so by them received, if received within that Part of Great Britain called England, within the Space of twenty-one Days at farthest; and if within that Part of Great Britain called Scotland, within the Space of twenty-eight Days at farthest; and if within the Kingdom of Ireland, within the Space of forty Days at farthest, next after the Day on which his Majesty's said Proclamation or Proclamations shall have declared that such Monies shall not be allowed to pass in any Payment whatsoever, in order that the said deficient Coin may be exchanged by the said Governor and Company, in Manner before mentioned, for any other Coin allowed from thenceforth to pass in Payment, or be current; and the said Governor and Company, of the Bank of England, upon Tender of any such deficient Gold Coin, by any of the Persons before mentioned, shall give, and they are hereby authorized and required to give in Exchange for such deficient Gold Coin, any other Coin from thenceforth allowed to pass in Payment, and be current.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Governor and Company of the Bank of England to constitute and appoint two or more Persons; which said Persons, together with two or more Persons, to be appointed by the Lord High Treasurer, or Lords Commissioners of his Majesty's Treasury for the Time being, shall, and they are hereby respectively authorized and required, under the Direction of the Warden, Master, and Comptroller of his Majesty's Mint, and their Deputies, one of whom shall always be present, and of the Governor and Directors of the said Bank of England, one of whom shall always be present, from Time to Time, to take and state an exact Account, as well of all the said deficient Guineas, Half Guineas, and Quarter Guineas, then remaining in the Bank of England, as of all such Guineas, Half Guineas, and Quarter Guineas, which shall be received by the said Governor and Company of the Bank of England, or be paid into the said Bank, by the several Persons before mentioned, or by any Person or Persons whomsoever, and to examine whether

Who are to convey the same to the Governor and Company of the Bank of England;

there to be exchanged for other current Coin.

Receivers appointed when to remit the deficient Coin.

Examiners to be appointed by the Governor of the Bank, and the Lords of the Treasury.

whether the same is or are the Gold Coin of this Realm, and not of less Weight than is or shall be allowed at such Times respectively, in and by his Majesty's said Proclamation or Proclamations; and to cause all Monies as shall be found to be the Gold Coin of this Realm, and not of less Weight than is or shall be allowed as aforesaid, to be exactly numbered or told, and carefully weighed, and to set down and state an exact Account of the Deficiency found therein, and then to cause all the said Pieces to be cut, broken, or defaced; and then, with all convenient Speed, to deliver, or cause to be delivered, an Account and Particular of all the several Matters aforesaid, under the Hands of the Persons by and before whom such Account or Accounts shall be taken, to the Lord High Treasurer, or Lords Commissioners of his Majesty's Treasury for the Time being.

Treasury to issue such Sums as shall appear to be the Amount of all Deficiencies.

V. And whereas the Commons of *Great Britain*, in Parliament assembled, have resolved, that a Sum not exceeding two hundred and fifty thousand Pounds, be granted to your Majesty, towards defraying the Expence which shall be incurred in calling in and recoinning the said deficient Gold Coin, in pursuance of the Resolutions of the House of Commons of the tenth Day of *May*, one thousand seven hundred and seventy-four; may it therefore please your Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer of *Great Britain*, or Lords Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, and he and they is and are hereby authorized and required to issue and apply, or cause to be issued, paid, and applied, from Time to Time, and as they shall see Occasion, out of the said Sum of two hundred and fifty thousand Pounds, granted in this present Session of Parliament, such Sum and Sums of Money, to the Governor and Company of the Bank of *England*, as shall appear to be the Amount of such Deficiency and Deficiencies, to be taken and stated in Manner aforesaid; and likewise such Sum and Sums of Money as shall appear to them to be requisite to defray all Charges and Expences in melting down such deficient Money, and casting the same into Ingots, and assaying the same; and also to advance such Sum and Sums of Money as they shall see Occasion, from Time to Time, to the Master and Worker of his Majesty's Mint, for and towards the several Expences to be incurred in and about the Recoinage of the same, into the Standard current Money of this Realm; and also to grant a reasonable Reward to the Governor and Company of the Bank of *England*, and to such Exchangers of the said Monies as his Majesty shall appoint for that Purpose, and to all other Officers, Clerks, and Persons employed in and about the several Matters herein contained, and to discharge all such other incidental Expences as shall necessarily attend the Execution of this Act.

and towards the Expence of recoinning the same into standard current Money.

Commissioners of the Treasury to issue (out of 250,000l. hereby granted) such Sums as are necessary to the Vice Treasurer, Sec. of Ireland;

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer, or Lords Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, and he and they is and are hereby empowered by Warrant under their respective Hands, by and out of the said Sum of two hundred and fifty thousand Pounds, to issue, pay, and advance, such Sum and Sums of Money, as he or they, in his or their Discretion, shall think fit, to the Vice Treasurer and Receiver General, and Paymaster General of all his Majesty's Revenues in the Kingdom of *Ireland*, and his or their Deputy or Deputies, or to the Teller of the Exchequer there, or to such Person or Persons as shall or may be appointed by his Majesty in *Great Britain* and *Ireland*, for the Purpose of exchanging, in Manner before mentioned, the said deficient Guineas, Half Guineas, and Quarter Guineas, so as the said Vice Treasurer and Receiver General, and Paymaster General, or his or their Deputy or Deputies, and the said Teller of the Exchequer, and the Person or Persons to be appointed as aforesaid, first give Security, to the Satisfaction of the Lord High Treasurer, or Lords Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, duly to account for the same, and also for applying the same in getting in such deficient Coin as aforesaid, and for conforming himself and themselves to the Rules and Regulations herein-before mentioned, or such as shall be directed by his Majesty's Proclamation or Proclamations, to be observed and performed concerning the receiving and exchanging such deficient Coin, and the Payment thereof, into the Bank within the respective Times appointed for that Purpose.

who are to give Security to the Lords of Treasury, for exchanging and paying the same.

Persons authorized to cut and deface light Gold Coin.

VII. And be it further enacted by the Authority aforesaid, That the Tellers in the Receipt of his Majesty's Exchequer in *Great Britain*, and the Vice Treasurer and Receiver General, and Paymaster General of all his Majesty's Revenues in the Kingdom of *Ireland*, and his or their Deputy or Deputies, and the Teller of the Exchequer there, and all Receivers, Collectors, and other Officers of all his Majesty's Revenues wheresoever, and all other Persons whatsoever, are hereby authorized and required to cut, break, or deface, or cause to be cut, broken, or defaced, every Piece of Gold Coin of this Realm that shall be tendered to them, or any of them, in Payment after such Time and Times as any such Piece of Gold Coin shall, by virtue of any Proclamation of his Majesty in Council, be declared not to be allowed to pass in any Payment whatsoever, any Law or Statute to the contrary thereof in any-wise notwithstanding; and the Person tendering the same shall bear the Loss; but if any such Piece so cut, broken, or defaced, shall be of due Weight, and appear to be lawful Money, the Person that cut, broke, or defaced the same, shall and is hereby required to take and receive the same at the Rate it was coined for: And if any Questions or Disputes shall arise whether the Piece so cut be lawful Coin, within the Intent and Meaning of his Majesty's Proclamations, it shall be heard and finally determined by the Mayor, Bailiff or Bailiffs, or other chief Officer of any City or Town-corporate where such Tender shall be made; and if such Tender shall be made out of any City or Town-corporate, then by some Justice of the Peace of the County inhabiting or being near the Place where such Tender shall be made; and the said Mayor, or other Chief Officer and Justice of the Peace, shall have full Power and Authority to administer an Oath, as he shall see convenient, to any Person for determining any Questions relating to the Weight and lawful Currency of the said Piece of Coin.

Person aggrieved to receive

VIII. And be it further enacted by the Authority aforesaid, That, in all Cases where any Matter or Thing is by this Act enjoined to be done by any of his Majesty's Officers of the Exchequer in *Great Britain*

or Ireland, or by any Receiver General, or any other Officer of his Majesty's Revenues there, and such Officer shall make wilful Default in the Performance thereof, by which any Person or Persons whatsoever shall be grieved, or suffer any Loss or Damage; then, and in every such Case, the Officer or Officers making such Default shall be liable, by virtue of this Act, to answer and pay double Damages to the Party grieved or injured; and that all Penalties and Forfeitures arising by this Act, in all Cases where no special Remedy is before appointed for Recovery thereof, shall and may be recovered by Action of Debt, Bill, Suit, or Information, in any of his Majesty's Courts of Record in Great Britain or Ireland respectively, wherein no Essoin, Protection, Wager of Law, or more than one Impar lance, shall be granted.

double Damages from Defaulters.

Forfeitures recoverable by Action of Debt.

C A P. LXXI.

An Act to prevent the Exportation to foreign Parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom.

WHEREAS the Exportation of the several Tools or Utensils made use of in preparing, working up, and finishing, the Cotton and Linen Manufactures of this Kingdom, or any or either of them, or any other Goods wherein Cotton and Linen, or either of them, are used, will enable Foreigners to work up such Manufactures, and thereby greatly diminish the Exportation of the same from this Kingdom: Therefore, for preserving as much as possible to his Majesty's British Subjects the Benefits arising from those great and valuable Branches of Trade and Commerce, 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 at any Time after the first Day of July, one thousand seven hundred and seventy-four, any Person or Persons, in Great Britain or Ireland, shall, upon any Pretence whatsoever, load or put on board, or cause to be laden or put on board, of any Ship, Vessel, or Boat, which shall not be bound directly to some Port or Place in Great Britain or Ireland, any such Tools or Utensils as are commonly used in, or are proper for the preparing, working up, or finishing, of the Cotton or Linen Manufactures, or any or either of them, or any other Goods wherein Cotton and Linen, or either of them, are used, or any Parts or Parcels of such Tools or Utensils, by what Name or Names the same shall or may be called or known; the Person or Persons so offending shall, for every such Offence, not only forfeit and lose all such Tools and Utensils, or Parts or Parcels thereof, which shall be so laden or put on board as aforesaid, but also the Sum of two hundred Pounds of lawful Money of Great Britain; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, or in the Court of Session in Scotland, or in any of the four Courts of Dublin respectively, wherein no Essoin, Protection, Privilege, or Wager of Law, shall be allowed, or more than one Impar lance.

Preamble.

After July 1, 1774, Persons shipping Tools or Utensils used in the Cotton or Linen Manufactures, in order to export the same, to forfeit all such Tools, &c. and 200 l.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of July, it shall and may be lawful to and for any Officer of his Majesty's Customs in Great Britain, and for any Officer of the Revenue in Ireland, to seize and secure, in some or one of his Majesty's Warehouses, all such Tools or Utensils, or Parts or Parcels thereof, by this Act prohibited to be exported, as such Officer shall find or discover to be laid or put on board of any Ship, Vessel, or Boat, which shall not be bound directly to some Port or Place in Great Britain or Ireland, and that every Officer who shall seize and secure any of the said Tools or Utensils, or Parts or Parcels thereof, shall be fully and absolutely indemnified for so doing; and all Tools and Utensils, or Parts or Parcels thereof, so seized and secured as aforesaid, shall, after Condemnation thereof in due Course of Law, be publicly sold to the best Bidder, and one Moiety of the Produce arising by the Sale of such Tools and Utensils shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Officer who shall seize and secure the same as aforesaid.

Officers of Customs to seize all Tools, &c. on board such Vessels;

which may be publicly sold; One Moiety to his Majesty, and the other to the Officer.

III. And be it further enacted by the Authority aforesaid, That, from and after the said first Day of July, if the Captain or Master of any Ship, Vessel, or Boat, in Great Britain or Ireland, shall knowingly permit any Tools or Utensils, by this Act prohibited to be exported as aforesaid, to be put on board his said Ship, Vessel, or Boat, every such Captain or Master shall, for every such Offence, forfeit the Sum of two hundred Pounds of lawful Money of Great Britain; to be sued for and recovered in such Manner as the Penalties by this Act upon Persons exporting the said Tools and Utensils are to be sued for and recovered: And if the said Ship, Vessel, or Boat, belongs to his Majesty, his Heirs or Successors, then the Captain or Master thereof shall not only forfeit the Sum of two hundred Pounds, to be sued for and recovered as aforesaid, but shall also forfeit his Employment, and be incapable of any Office or Employment under his Majesty, his Heirs or Successors.

Master of a Ship permitting such Tools or Utensils to be exported, forfeits 200 l;

and if the Ship belongs to his Majesty, the Captain forfeits 200 l. and his Commission.

IV. And be it further enacted by the Authority aforesaid, That if any Customer, Comptroller, Surveyor, Searcher, Waiter, or other Officer of the Customs in Great Britain, or any Officer of the Revenue in Ireland, shall take, or knowingly or willingly suffer to be taken, any Entry outward, or shall sign any Cocket, Warrant, or Sufferance, for the shipping or exporting of any of the said Tools or Utensils by this Act prohibited to be exported, or shall knowingly or willingly permit or suffer the same to be done, directly or indirectly, contrary to the true Intent and Meaning of this Act, every such Customer, Comptroller, Surveyor, Searcher, Waiter, or other Officer of the Customs of Great Britain, or Officer of the Revenue in Ireland, shall, for every such Offence, forfeit the Sum of two hundred Pounds of lawful Money of Great Britain, to be sued for and recovered, as aforesaid, and shall also forfeit his Office, and be incapable of holding any Office or Employment under his Majesty, his Heirs or Successors.

Officer of Customs allowing an Entry outward of such prohibited Utensils, to forfeit 200 l. and his Office.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons, from and after the said first Day of July, shall collect, obtain, or have, in his, her, or their Custody or Possession any such Tools or Implements as aforesaid, or any Tools or Implements used in the Woollen or Silk Manufactures

Any Person collecting such Tools or Implements, in order

to export the same, on Complaint of Witnesses,

Justices may grant Warrants to seize them, and the Person; and if not able to give a satisfactory Account of the Use of such Utensils,

Justices, for want of proper Security, may commit the Offender;

And in case such Person be convicted at any Assize, &c. he shall lose all such Utensils, and forfeit 200 l.

One Moiety of Forfeitures to go to his Majesty, and the other to the Prosecutor. Limitation of Actions.

General Issue.

Treble Costs.

factures of this Kingdom, or any Parts or Parcels thereof, and Complaint shall be made upon the Oath of one or more credible Witness or Witnesses before any Justice or Justices of the Peace, that there is reason to believe such Person or Persons have or hath collected, obtained, or got into his, her, or their Custody or Possession, such Tools or Implements as aforesaid, or Parts or Parcels thereof, with Intent to export the same to some other Port or Place than *Great Britain or Ireland*; then, and in such Case, it shall and may be lawful to and for the Justice or Justices of the Peace, unto whom such Complaint shall be made, to issue his Warrant or Warrants, not only to seize all such Tools or Implements, and Parts or Parcels thereof, but also to bring the Person and Persons so complained of before him or them, or some other of his Majesty's Justices of the Peace for the same County, Riding, Division, or City; and if, when such Person or Persons shall be so brought before such Justice or Justices, he, she, or they, shall not give such an Account of the Use or Purpose to which such Tools or Utensils, or Parts or Parcels thereof, are intended to be appropriated, as shall be satisfactory to the Justice or Justices before whom he, she, or they, shall be brought as aforesaid, then, and in such Case, it shall and may be lawful to and for such Justice or Justices, not only to cause all such Tools or Utensils, or Parts or Parcels thereof, which shall have been seized as aforesaid, to be detained, but also to bind the Person or Persons so charged to appear at the next Assizes, General Gaol Delivery, or Quarter Sessions of the Peace for the County, City, Riding, or Division, where such Offence shall be committed, with reasonable Sureties for his, her, or their Appearance; and in case such Person or Persons shall refuse or neglect to give such Security, then, and in such Case, it shall and may be lawful to and for such Justice and Justices to commit the Person or Persons so refusing to the County Gaol, there to be kept until the next Assizes, or next Quarter Sessions of the County, City, Riding, or Division, where such Commitment shall be, at the Election of such Justice of the Peace, and until he, she, or they, shall be delivered by due Course of Law: And in case any such Person or Persons shall be convicted upon any Indictment or Information against him, her, or them, at such Assize or General Gaol Delivery, or Quarter Sessions of the Peace as aforesaid, of collecting, obtaining, or getting into his, her, or their Custody or Possession, such Tools or Utensils, or Parts or Parcels thereof, with such Intent as aforesaid; then, and in such Case, the Person or Persons so offending, shall, for every such Offence, not only forfeit and lose all such Tools and Utensils, and Parts and Parcels thereof, which shall be so seized and detained, but also the Sum of two hundred Pounds of lawful Money of *Great Britain*; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, or in any of the four Courts at *Dublin* respectively, wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Impar lance, shall be allowed.

VI. And be it further enacted by the Authority aforesaid, That one Moiety of the respective Forfeitures by this Act inflicted upon Offenders against the same, shall, when recovered, go and be applied to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of the Person or Persons who shall sue and prosecute for the same respectively.

VII. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced against any Person, for what he shall do in pursuance of this Act, such Action shall be commenced within six Months after the Fact committed; and the Person, so sued, may file common Bail, or enter a common Appearance, and plead the General Issue, Not Guilty; and may give this Act, and the Special Matter, in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him or her, or if, upon Demurrer, Judgment be given against the Plaintiff, the Defendant shall recover Treble Costs.

C A P. LXXII.

An Act for ascertaining the Duty on printed, painted, stained, or dyed Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, and for allowing the Use and Wear thereof, under certain Regulations.

Preamble,

WHEREAS a new Manufacture of Stuffs, wholly made of Raw Cotton Wool (chiefly imported from the *British* Plantations), hath been lately set up within this Kingdom, in which Manufacture many Hundreds of poor Persons are employed: And whereas the Use and Wear of printed, painted, stained, or dyed Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, ought to be allowed under proper Regulations: And whereas Doubts have arisen whether the said new-manufactured Stuffs ought to be considered as Callicoes, and as such, if printed, painted, stained, or dyed with any Colour or Colours (such as shall be dyed throughout of one Colour only excepted), liable to the Inland or Excise Duties laid on Callicoes, when printed, painted, stained, or dyed, with any Colour or Colours (except as aforesaid), by the Statutes made, and now in Force, concerning the same; and whether the Wearing or Use of the said new-manufactured Stuffs, when the same are printed, painted, stained, or dyed, are not prohibited by an Act, passed in the seventh-Year of the Reign of his late Majesty King *George* the First, intituled, *An Act to preserve and encourage the Woollen and Silk Manufactures of this Kingdom, and for more effectual employing the Poor, by prohibiting the Use and Wear of all printed, painted, stained, or dyed Callicoes, in Apparel, Household Stuff, Furniture, or otherwise, after the twenty-fifth Day of December, one thousand seven hundred and twenty-two* (except as therein is excepted): For obviating all such Doubts for the future, may it please your most Excellent 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 greater or higher Duty than Three-pence for every Yard in Length, reckoning Yard wide, and after that Rate for a greater or lesser Quantity, shall be imposed, raised, levied, collected, or paid, unto and for the Use of his Majesty,

No higher Duty than 3d. for every Yard in

Majesty, his Heirs and Successors, on the said new-manufactured Stuffs, wholly made of Cotton spun in Great Britain, when printed, stained, painted, or dyed, with any Colour or Colours.

Length, Yard wide, to be levied on the new-manufactured Stuffs.

manufactured

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons to use or wear, within the Kingdom of Great Britain, either as Apparel, Household Stuff, Furniture, or otherwise, any new-manufactured Stuffs, wholly made of Cotton spun in Great Britain, when printed, stained, painted, or dyed, with any Colour or Colours; any Thing in the said recited Act of the seventh Year of the Reign of his late Majesty King George the First, or any other Act or Acts of Parliament to the contrary hereof in any-wise notwithstanding.

All Persons may wear and use the same.

III. And, to the End it may be known that such Stuffs were manufactured in Great Britain, be it further enacted, That in each Piece of the said new-manufactured Stuffs, wholly made of Cotton Wool, spun in Great Britain, there shall be wove in the Warp, in both Selvages, through the whole Length thereof, three blue Stripes, each Stripe of one Thread only; the first of which said Stripes shall be the first or outermost Thread of the Warp of each Selvage; the Second of which said Stripes shall be the third Thread; and the third of which said Stripes, shall be the fifth Thread of the Warp from each Selvage; and that each Piece of the same Stuffs, when printed, stained, painted, or dyed, in England, Wales, or Berwick upon Tweed, be stamped at each End with a Stamp, to be provided for that Purpose by the Commissioners of Excise in England for the Time being, or by the Officers employed or to be employed under them, and instead of the Word Callico, which stands for Foreign Callicoes, each Piece be marked with the Words, *British Manufactory*; and that each Piece of the same Stuffs, when printed, stained, painted, or dyed, in Scotland, be stamped at each End with a Stamp, to be provided for that Purpose by the Commissioners of Excise in Scotland for the Time being, or by the Officers employed or to be employed under them, and instead of the Word Callico, which stands for foreign Callicoes, each Piece be marked with the Words, *British Manufactory*.

Marks, to know that such Stuffs are manufactured in Britain, to be wove in the Warp.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, Body or Bodies Corporate, shall expose, or cause to be exposed, to Sale, or have in his, her, or their Custody or Possession, in Great Britain, any Stuffs wholly made of Cotton, and printed, painted, stained, or dyed (Muslins, Neckcloths, and Fustians excepted), wherein shall not be wove in the Warp, in both Selvages, only through the whole Length of each Piece three blue Stripes (unless for Exportation), then such Person or Persons, Body or Bodies Corporate so offending, shall not only forfeit all and every such last-mentioned Stuffs so exposed, or caused to be exposed, to Sale, or which shall be in his, her, or their Custody or Possession, but shall also forfeit for every Piece thereof the Sum of fifty Pounds, to be recovered and divided in Manner herein-after mentioned; save only such Stuffs as are wholly made of Cotton Wool, and which have been, or shall be, manufactured in Great Britain, and which shall be marked or stamped on or before the seventeenth Day of August, one thousand seven hundred and seventy-four, by some Officer to be appointed by the Commissioners of Excise; all which last-mentioned Stuffs, so manufactured and marked or stamped, it shall and may be lawful to expose, or cause to be exposed, to Sale, or for any Person or Persons, Body or Bodies Corporate, to have in his, her, or their Custody or Possession; any Thing in this Act contained to the contrary thereof in any-wise notwithstanding.

Persons exposing such to Sale without the Mark,

(unless for Exportation), shall forfeit the Stuffs, and 50*l*. for every Piece. Exception.

V. Provided always, That nothing in this Act contained shall extend to Cotton Velvets, Ververets, or other Fustians, manufactured in Great Britain.

Cotton Velvets, or Fustians, excepted
No future Recovery of Penalties to be made by virtue of Act 7 Geo. 1.

VI. And be it further enacted by the Authority aforesaid, That none of the Penalties in the said recited Act, which may have been incurred for the wearing or using any Sort of the said new-manufactured Stuffs, wholly made of Cotton Wool, spun in Great Britain, and printed, painted, stained, or dyed, within the Kingdom as aforesaid, shall be recovered or levied, unless some Prosecution for the same hath been already commenced, and Judgment already obtained thereupon; any Thing in the said recited Act contained to the contrary hereof in any-wise notwithstanding.

Duty to be levied in England by the Commissioners of Excise,

VII. And be it further enacted by the Authority aforesaid, That the said Duty of Three-pence for every Yard in length, reckoning Yard wide, and after that Rate for a greater or lesser Quantity, to be imposed, raised, levied, collected, and paid, upon the said new-manufactured Stuffs wholly made of Cotton, spun in Great Britain, when printed, stained, painted, or dyed, in England, Wales, or Berwick upon Tweed, shall be under the Management of the Commissioners of Excise in England for the Time being, and the Officers employed, or to be employed, under them; and that the said Duty upon the same Stuffs, when printed, stained, painted, or dyed, in Scotland, shall be under the Management of the Commissioners of Excise in Scotland for the Time being, and the Officers to be employed under them; and that the said respective Commissioners of Excise in England and Scotland for the Time being shall, from Time to Time, pay, or cause to be paid, all the Monies that they shall respectively receive for the said Duty of Three-pence for every such Yard as aforesaid, upon the same Stuffs, when printed, stained, painted, or dyed, as the same shall arise into the Receipt of his Majesty's Exchequer in England, under the like Penalties, Forfeitures, and Disabilities, as are to be inflicted under or by virtue of any Act, Statute, or Law made, and now in Force, for diverting or misapplying any Monies by any such Act, Statute, or Law, appropriated or appointed for any the Purposes therein expressed.

and by the said Commissioners in Scotland; and to be paid into the Receipt of Exchequer.

VIII. And be it further enacted by the Authority aforesaid, That the respective Commissioners to be appointed for managing the said Duty upon the said new-manufactured Cotton Stuffs, when printed, stained, painted, or dyed, in Great Britain, as aforesaid, shall, on or before the fifth Day of July, one thousand seven hundred and seventy-four, provide proper Seals or Stamps, for marking such of the said new-manufactured Cotton Stuffs to be printed, stained, painted, or dyed, in Great Britain, as aforesaid, as are to be stamped and marked, for and in order to the charging of the said Duty for the same; and shall cause the said Seals or Stamps to be distributed to the respective Officers, for the several Purposes before mentioned;

Commissioners to provide proper Seals or Stamps before July 5, 1774.

which

which Officers are hereby enjoined and required, in using the same, to do as little Hurt or Damage as may be to the Stuffs to be so marked or stamped: And the said respective Commissioners, in providing the said respective Seals or Stamps, shall take care that they be so contrived that the Impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited; and that the said Seals or Stamps, or any of them, shall or may be allowed or renewed, from Time to Time, as his Majesty, his Heirs or Successors, shall think fit: And if any Person or Persons whomsoever shall, at any Time or Times hereafter, counterfeit or forge any Stamp or Seal, to resemble any Stamp or Seal which shall be provided or made in pursuance of this Act, or shall counterfeit or resemble the Impression of the same upon any of the Stuffs chargeable by this Act, thereby to defraud his Majesty, his Heirs or Successors, of the said Duty thereupon to be chargeable or payable in respect thereof, then every such Person so offending, and being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

which may be renewed.

Persons counterfeiting Stamps to suffer Death.

Persons importing such Stuffs to forfeit such, and rel. for every Piece.

IX. And be it further enacted by the Authority aforesaid, That if any Person or Persons, Body or Bodies Corporate, shall import or bring into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof; any Callicoets, Mullins, or any other Goods or Stuffs whatsoever made of Linen Yarn only, or of Linen Yarn and Cotton Wool mixed, or made wholly of Cotton Wool, wherein shall be wove in the Warp in either or both Selvages only, through the whole or any Part of the Length of each Piece, one or more blue Stripe or Stripes of one or more Thread or Threads; such Person or Persons, Body or Bodies Corporate, shall not only forfeit and lose all and every such Callicoets, Mullins, Goods, or Stuffs, which shall be so imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, but shall also forfeit the Sum of ten Pounds for each Piece thereof; to be recovered and applied in Manner hereinafter mentioned.

Persons selling counterfeited Stuffs to suffer Death.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times hereafter, sell any printed, painted, stained, or dyed Stuffs, wholly made of Cotton, with a counterfeit Stamp thereon, knowing the same to be counterfeited, and with an Intent to defraud his Majesty, his Heirs or Successors, all and every such Offender and Offenders, their Aiders, Abettors, and Assistants, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Upon Information of unstamped Stuffs being in Custody of any Draper;

XI. And be it further enacted by the Authority aforesaid, That at any Time or Times hereafter, upon Oath made by any credible Person or Persons, that he, she, or they, have reason to suspect or believe that any printed, painted, stained, or dyed Stuffs, wholly made of Cotton, for which a Duty ought to have been paid or charged, as aforesaid, are or shall be in the Custody or Possession of any Draper, or other Person or Persons trading or dealing therein, or for any Person or Persons for the Use or Account of such Draper or other Trader or Dealer for Sale, without having thereupon such Marks or Stamps as are by this Act required to denote the Payment, or Charging, of the said Duties thereupon; it shall and may be lawful to and for the Commissioners who shall be appointed for the Duties upon Silk, Callicoets, Linens, or Stuffs, printed, stained, painted, or dyed in *Great Britain*, or the major Part of them, within the Limits of the weekly Bills of Mortality, or any two Justices of the Peace in any other Parts of the Kingdom of *Great Britain*, from Time to Time, to issue their respective Warrants or Orders, thereby authorising and requiring any Officer or Officers for the same Duties (with the Assistance of a Constable, or other Officer of the Peace), in the Day-time, to search for the same, and to open Doors, Trunks, Chests, and Package, and to seize such Goods, and to bring them to the Office for the said Duties, next to the Place where they shall be so seized, in order to a further Proceeding thereupon, according to this Act; and that every such Warrant and Order shall and may be obeyed and executed accordingly.

Commissioners, or two Justices, may cause the same to be seized.

One Moiety of the Penalties to the King, and the other to the Informer.

XII. And be it further enacted by the Authority aforesaid, That one Moiety of the Penalties and Forfeitures, which shall be incurred as aforesaid, shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of such Person or Persons who shall inform or sue for the same, 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*, wherein no Essoin, Protection, or Wager in Law, or more than one Imparance, shall be allowed; such Information or Informations, to be entered, filed, and prosecuted in the Name of his Majesty's Attorney General, or in the Name or Names of some Officer or Officers of his Majesty's Revenue of the Customs or Excise, according to the true Intent and Meaning of an Act, passed in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties*.

Powers, Rules, and Penalties now in Force, in Excise Laws, to be used relative to this Act.

XIII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which in and by any Act, Statute, or Law made, and now in Force, relating to his Majesty's Revenue of Excise, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Excise or Inland Duty or Duties, for and upon any Callicoets or Stuffs whatsoever, when printed, stained, painted, or dyed, with any Colour or Colours, within the Kingdom of *Great Britain*, shall be practised, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duty of Three-pence for every such Yard as aforesaid, upon the said new-manufactured Stuffs, as fully and effectually as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, were particularly repeated and re-enacted in the Body of this present Act.

Proof of the Stuff being manufactured in Britain to lie on the Owner.

XIV. And be it further enacted and declared by the Authority aforesaid, That if any Question shall arise, whether any of the said new-manufactured Stuffs, wholly made of Cotton, have been manufactured in *Great Britain*, the Proof of their having been manufactured in *Great Britain* shall lie upon the Owner or Owners of such Stuffs, and not upon the Prosecutor; any Law, Usage, or Custom to the contrary notwithstanding.

C A P. LXXIII.

An Act to extend so much of an Act, passed in the twelfth Year of the Reign of his present Majesty, as relates to Distillers or Makers of Low Wines and Spirits from Corn, to every Kind of Distiller; and for the more effectual securing the Revenue of Excise arising from Low Wines and Spirits; and for ascertaining the Allowance to be made to the Manufacturers of Wool and Linen, in respect to the Duties on Soap imported and used in the Woollen and Linen Manufactures.

WHEREAS by an Act, passed in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for the more effectual preventing of Frauds in the Revenue of Excise, with respect to Tea, Soap, Low Wines, and Spirits*, it was, amongst other Things, enacted, That the Stills and Utensils of Distillers and Makers of Low Wines and Spirits from Corn or Grain should be secured by Locks and Fastenings, as in and by the said recited Act is provided; which Provision has been found advantageous to the fair Trader and the Revenue, and the extending the like Powers and Regulations to all Distillers of Low Wines and Spirits for Sale, from whatever Materials such Low Wines and Spirits shall or may be drawn, is likely to produce the same good Effect; 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-fourth Day of *June*, one thousand seven hundred and seventy-four, the said recited Act, and every Clause, Matter, and Thing therein contained, so far as relates to Distillers and Makers of Low Wines and Spirits from Corn or Grain (other than such as are hereby altered, amended, or enlarged), shall be, and are hereby re-enacted and declared to extend to all and every Distiller and Maker of Low Wines and Spirits, Rectifiers and Compounders of Spirits, from whatsoever Material or Materials, Preparation or Preparations, the same Low Wines or Spirits shall be extracted, drawn, made, rectified, or compounded.

Preamble.
Act 12 Geo. 3.
recited.

After June 24;
1774, so far as
relates to Dis-
tillers of Low
Wine, hereby
re-enacted.

II. And, for the better remedying the Evils which the said recited Act was intended to prevent, and for rendering the Provisions thereof more effectual, be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, no Distiller or Maker of Low Wines or Spirits for Sale shall have in his, her, or their Custody or Possession, or in the Custody or Possession of any other Person or Persons, in Trust, or for the Use or Benefit of him, her, or them, any Still or Stills but of the Content herein-after mentioned; that is to say, Every Still for distilling any Sort of fermented Worts or Wash, and commonly called *The Wash Still*, shall contain at least four hundred Gallons in the Body of such Still, exclusive of the Head, and every Still for distilling Low Wines, and commonly called *The Low Wine Still*, shall contain in the Body thereof, and exclusive of the Head, at least one hundred Gallons, on Pain to forfeit, for every Still containing respectively a less Number of Gallons than as above mentioned, the Sum of one hundred Pounds.

After June 24;
1774, Distillers
to have their
Stills of the Di-
mensions men-
tioned; viz.
Wash Still to
contain 400
Gallons,
Low Wine Still
100 Gallons, on
Penalty of 100 l.

III. And be it further enacted by the Authority aforesaid, That every Distiller and Maker of Low Wines and Spirits for Sale, and every Rectifier and Compounder of Spirits, shall, on or before the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and every Person who shall thereafter so distil or make Low Wines or Spirits, or shall rectify or compound Spirits, shall, before he, she, or they, begin so to distil, rectify, or compound, make, or cause to be made (with the Approbation of the respective Surveyors or Supervisors of Excise, of the District or Division in which their Workhouses are or may be situate), in the Breast of every Still by him, her, or them, used, a Hole or Opening, to the Intent that the Gaugers and Officers of Excise may take Gauges and Samples at the Time, and in the Manner, herein-after directed; which Hole or Opening in the Wash Still shall not be more than five Inches square, and so contrived, that the Officers of Excise may take a Gauge or Gauges thereof with a Cork and Rule, and in every other Still, not being a Wash Still, the Hole or Opening shall not be less than one Inch and half an Inch in Diameter, and so contrived that the Officers may take a Sample or Samples from the Still with a Phial, to be drawn perpendicularly through the same; and the said Holes or Openings shall be locked and secured in like Manner, and under the same Rules, Regulations, and Penalties, as by the said recited Act are directed for securing the Still Heads, and other Conveyances thereto, of Distillers and Makers of Low Wines and Spirits from Corn or Grain.

Distillers to
make Holes or
Openings in the
Breast of their
Stills for the Use
of Gaugers;

which shall not
be above five
Inches square in
a Wash Still,
&c.

under the Regu-
lations of 12
Geo. 3.

IV. And, the more effectually to prevent Distillers, Rectifiers, and Compounders, from working in the Absence of the Officers of Excise, be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, every Distiller and Maker of Low Wines or Spirits for Sale, Rectifiers and Compounders, shall, at his, her, or their own Expence, find, provide, and affix, sufficient Locks, Keys, and Fastenings (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 Distiller or Maker of Low Wines or Spirits shall respectively reside), to the Furnace Door of each and every Still respectively by him, her, or them, used; and the Officers of Excise shall be permitted to lock and secure the said Furnace Doors of each and every Still respectively, under their Survey, at any Time when such Stills are not at work; and whenever such Distiller or Maker of Low Wines or Spirits shall be desirous to light a Fire under such Still or Stills, and to have the said Furnace Doors opened, and shall have given Notice in Manner as herein-after is directed; then, and in every such Case, the Officers of Excise shall attend to open the same.

Distillers to affix
sufficient Locks,
&c. to the Fur-
nace Doors of
Stills;

and the Officers
to secure the
same,
and attend to
open them.

V. And.

which Officers are hereby enjoined and required, in using the same, to do as little Hurt or Damage as may be to the Stuffs to be so marked or stamped: And the said respective Commissioners, in providing the said respective Seals or Stamps, shall take care that they be so contrived that the Impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited; and that the said Seals or Stamps, or any of them, shall or may be allowed or renewed, from Time to Time, as his Majesty, his Heirs or Successors, shall think fit: And if any Person or Persons whomsoever shall, at any Time or Times hereafter, counterfeit or forge any Stamp or Seal, to resemble any Stamp or Seal which shall be provided or made in pursuance of this Act, or shall counterfeit or resemble the Impression of the same upon any of the Stuffs chargeable by this Act, thereby to defraud his Majesty, his Heirs or Successors, of the said Duty thereupon to be chargeable or payable in respect thereof, then every such Person so offending, and being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

which may be renewed.
Persons counterfeiting Stamps to suffer Death.

Persons importing such Stuffs to forfeit such, and sol. for every Piece.

Persons selling counterfeited Stuffs to suffer Death.

Upon Information of unstamped Stuffs being in Custody of any Draper;

Commissioners, or two Justices, may cause the same to be seized.

One Moiety of the Penalties to the King, and the other to the Informer.

Powers, Rules, and Penalties now in Force, in Excise Laws, to be used relative to this Act.

Proof of the Stuff being manufactured in Britain to lie on the Owner.

IX. And be it further enacted by the Authority aforesaid, That if any Person or Persons, Body or Bodies Corporate, shall import or bring into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof; any Callicoes, Muslins, or any other Goods or Stuffs whatsoever made of Linen Yarn only, or of Linen Yarn and Cotton Wool mixed, or made wholly of Cotton Wool, wherein shall be wove in the Warp in either or both Selvages only, through the whole or any Part of the Length of each Piece, one or more blue Stripe or Stripes of one or more Thread or Threads; such Person or Persons, Body or Bodies Corporate, shall not only forfeit and lose all and every such Callicoes, Muslins, Goods, or Stuffs, which shall be so imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, but shall also forfeit the Sum of ten Pounds for each Piece thereof; to be recovered and applied in Manner hereinafter mentioned.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times hereafter, sell any printed, painted, stained, or dyed Stuffs, wholly made of Cotton, with a counterfeit Stamp thereon, knowing the same to be counterfeited, and with an Intent to defraud his Majesty, his Heirs or Successors, all and every such Offender and Offenders, their Aiders, Abettors, and Assiliants, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

XI. And be it further enacted by the Authority aforesaid, That at any Time or Times hereafter, upon Oath made by any credible Person or Persons, that he, she, or they, have reason to suspect or believe that any printed, painted, stained, or dyed Stuffs, wholly made of Cotton, for which a Duty ought to have been paid or charged, as aforesaid, are or shall be in the Custody or Possession of any Draper, or other Person or Persons trading or dealing therein, or for any Person or Persons for the Use or Account of such Draper or other Trader or Dealer for Sale, without having thereupon such Marks or Stamps as are by this Act required to denote the Payment, or Charging, of the said Duties thereupon; it shall and may be lawful to and for the Commissioners who shall be appointed for the Duties upon Silk, Callicoes, Linens, or Stuffs, printed, stained, painted, or dyed in *Great Britain*, or the major Part of them, within the Limits of the weekly Bills of Mortality, or any two Justices of the Peace in any other Parts of the Kingdom of *Great Britain*, from Time to Time, to issue their respective Warrants or Orders, thereby authorising and requiring any Officer or Officers for the same Duties (with the Assistance of a Constable, or other Officer of the Peace), in the Day-time, to search for the same, and to open Doors, Trunks, Chests, and Package, and to seize such Goods, and to bring them to the Office for the said Duties, next to the Place where they shall be so seized, in order to a further Proceeding thereupon, according to this Act; and that every such Warrant and Order shall and may be obeyed and executed accordingly.

XII. And be it further enacted by the Authority aforesaid, That one Moiety of the Penalties and Forfeitures, which shall be incurred as aforesaid, shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of such Person or Persons who shall inform or sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, wherein no Essoin, Protection, or Wager in Law, or more than one Imparlance, shall be allowed; such Information or Informations, to be entered, filed, and prosecuted in the Name of his Majesty's Attorney General, or in the Name or Names of some Officer or Officers of his Majesty's Revenue of the Customs or Excise, according to the true Intent and Meaning of an Act, passed in the twelfth Year of the Reign of his late Majesty King *George the First*, intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties*.

XIII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which in and by any Act, Statute, or Law made, and now in Force, relating to his Majesty's Revenue of Excise, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Excise or Inland Duty or Duties, for and upon any Callicoes or Stuffs whatsoever, when printed, stained, painted, or dyed, with any Colour or Colours, within the Kingdom of *Great Britain*, shall be practised, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duty of Three-pence for every such Yard as aforesaid, upon the said new-manufactured Stuffs, as fully and effectually as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, were particularly repeated and re-enacted in the Body of this present Act.

XIV. And be it further enacted and declared by the Authority aforesaid, That if any Question shall arise, whether any of the said new-manufactured Stuffs, wholly made of Cotton, have been manufactured in *Great Britain*, the Proof of their having been manufactured in *Great Britain* shall lie upon the Owner or Owners of such Stuffs, and not upon the Prosecutor; any Law, Usage, or Custom to the contrary notwithstanding.

C A P. LXXIII.

An Act to extend so much of an Act, passed in the twelfth Year of the Reign of his present Majesty, as relates to Distillers or Makers of Low Wines and Spirits from Corn, to every Kind of Distiller; and for the more effectual securing the Revenue of Excise arising from Low Wines and Spirits; and for ascertaining the Allowance to be made to the Manufacturers of Wool and Linen, in respect to the Duties on Soap imported and used in the Woollen and Linen Manufactures.

WHEREAS by an Act, passed in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for the more effectual preventing of Frauds in the Revenue of Excise, with respect to Tea, Soap, Low Wines, and Spirits*, it was, amongst other Things, enacted, That the Stills and Utensils of Distillers and Makers of Low Wines and Spirits from Corn or Grain should be secured by Locks and Fastenings, as in and by the said recited Act is provided; which Provision has been found advantageous to the said Trader and the Revenue, and the extending the like Powers and Regulations to all Distillers of Low Wines and Spirits for Sale, from whatever Materials such Low Wines and Spirits shall or may be drawn, is likely to produce the same good Effect; 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-fourth Day of *June*, one thousand seven hundred and seventy-four, the said recited Act, and every Clause, Matter, and Thing therein contained, so far as relates to Distillers and Makers of Low Wines and Spirits from Corn or Grain (other than such as are hereby altered, amended, or enlarged), shall be, and are hereby re-enacted and declared to extend to all and every Distiller and Maker of Low Wines and Spirits, Rectifiers and Compounders of Spirits, from whatsoever Material or Materials, Preparation or Preparations, the same Low Wines or Spirits shall be extracted, drawn, made, rectified, or compounded.

Preamble.
Act 12 Geo. 3.
recited.

After June 24;
1774, so far as
relates to Dis-
tillers of Low
Wine, hereby
re-enacted.

II. And, for the better remedying the Evils which the said recited Act was intended to prevent, and for rendering the Provisions thereof more effectual, be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, no Distiller or Maker of Low Wines or Spirits for Sale shall have in his, her, or their Custody or Possession, or in the Custody or Possession of any other Person or Persons, in Trust, or for the Use or Benefit of him, her, or them, any Still or Stills but of the Content herein-after mentioned; that is to say, Every Still for distilling any Sort of fermented Worts or Wash, and commonly called *The Wash Still*, shall contain at least four hundred Gallons in the Body of such Still, exclusive of the Head, and every Still for distilling Low Wines, and commonly called *The Low Wine Still*, shall contain in the Body thereof, and exclusive of the Head, at least one hundred Gallons, on Pain to forfeit, for every Still containing respectively a less Number of Gallons than as above mentioned, the Sum of one hundred Pounds.

After June 24;
1774, Distillers
to have their
Stills of the Di-
mensions men-
tioned; viz.
Wash Still to
contain 400
Gallons,
Low Wine Still
100 Gallons, on
Penalty of 100l.

III. And be it further enacted by the Authority aforesaid, That every Distiller and Maker of Low Wines and Spirits for Sale, and every Rectifier and Compounder of Spirits, shall, on or before the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and every Person who shall thereafter so distil or make Low Wines or Spirits, or shall rectify or compound Spirits, shall, before he, she, or they, begin so to distil, rectify, or compound, make, or cause to be made (with the Approbation of the respective Surveyors or Supervisors of Excise, of the District or Division in which their Workhouses are or may be situate), in the Breast of every Still by him, her, or them, used, a Hole or Opening, to the Intent that the Gaugers and Officers of Excise may take Gauges and Samples at the Time, and in the Manner, herein-after directed; which Hole or Opening in the Wash Still shall not be more than five Inches square, and so contrived, that the Officers of Excise may take a Gauge or Gauges thereof with a Cork and Rule, and in every other Still, not being a Wash Still, the Hole or Opening shall not be less than one Inch and half an Inch in Diameter, and so contrived that the Officers may take a Sample or Samples from the Still with a Phial, to be drawn perpendicularly through the same; and the said Holes or Openings shall be locked and secured in like Manner, and under the same Rules, Regulations, and Penalties, as by the said recited Act are directed for securing the Still Heads, and other Conveyances thereto, of Distillers and Makers of Low Wines and Spirits from Corn or Grain.

Distillers to
make Holes or
Openings in the
Breast of their
Stills for the Use
of Gaugers;

which shall not
be above five
Inches square in
a Wash Still,
&c.

under the Regu-
lations of 12
Geo. 3.

IV. And, the more effectually to prevent Distillers, Rectifiers, and Compounders, from working in the Absence of the Officers of Excise, be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, every Distiller and Maker of Low Wines or Spirits for Sale, Rectifiers and Compounders, shall, at his, her, or their own Expence, find, provide, and affix, sufficient Locks, Keys, and Fastenings (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 Distiller or Maker of Low Wines or Spirits shall respectively reside), to the Furnace Door of each and every Still respectively by him, her, or them, used; and the Officers of Excise shall be permitted to lock and secure the said Furnace Doors of each and every Still respectively, under their Survey, at any Time when such Stills are not at work; and whenever such Distiller or Maker of Low Wines or Spirits shall be desirous to light a Fire under such Still or Stills, and to have the said Furnace Doors opened, and shall have given Notice in Manner as herein-after is directed; then, and in every such Case, the Officers of Excise shall attend to open the same.

Distillers to affix
sufficient Locks,
&c. to the Fur-
nace Doors of
Stills;

and the Officers
to secure the
same,
& attend to
open them.

V. And.

Locks and Keys to be affixed to the Discharge Cocks of Wash Stills, &c.

Distillers refusing to comply are to forfeit 50l.

Officers to attend to open Furnace Doors, upon Notice given by Distillers.

What Time requisite to give Notice to Officers when Distillers intend to charge their Stills.

The Number and Mark of Washbatches to be signified in the Notice to be given;

or such Notice shall be void.

Penalty for charging Wash Stills not mentioned in the Notice, 200l.

Officers of Excise may take Still Gauges, and Samples of the same, paying 1s. 6d. for the Wash, and 4d. for the Spent Wash per Gallon. If any more Wash has been put in the Still than what can be accounted for, Distiller to pay double Duty for the same;

V. And be it further enacted by the Authority aforesaid, That every Distiller and Maker of Low Wines or Spirits for Sale, shall, at his, her, and their own Expence, find, provide, and affix, sufficient Locks, Keys, and Fastenings, to be approved of as aforesaid, to the Discharge Cock of every Wash Still, and of every Low Wine Still, by him, her, or them used; and the Officers of Excise shall be permitted, if they see Cause, to lock and secure such Discharge Cocks at any Time when such Still or Stills shall be at work: And if any such Distiller or Maker of Low Wines or Spirits, Rectifier or Compounder, shall, after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, presume to distil, or to make Low Wines or Spirits, or to rectify or compound Spirits, before he, she, or they, shall have caused such Holes or Openings to be made, with the Approbation of the Surveyor or Supervisor as aforesaid, and before he, she, or they, shall have found, provided and affixed, sufficient Keys, Locks, and Fastenings, to be approved of as aforesaid, to every such Furnace Door, and to every such Discharge Cock respectively to each Still, to him, her, or them belonging, or by him, her, or them used, according to the Directions herein given, or shall refuse to pay for such Locks, Keys, and Fastenings, in pursuance of the Directions of this Act; he, she, or they, shall, for each Offence, forfeit fifty Pounds.

VI. And be it further enacted by the Authority aforesaid, That whenever any Distiller or Maker of Low Wines or Spirits from Corn or Grain shall be desirous to have the Furnace Door of his, her, or their Still or Stills unlocked, and shall have given the like Notice and in the Manner as by the above-recited Act is directed to be given for opening the Stills of such Distillers and Makers of Low Wines and Spirits from Corn or Grain; then, and in every such Case, the Officers of Excise shall attend to open the same; and when any Distiller or Maker of Low Wines or Spirits from Molasses, or other Material (not being Corn or Grain), or any Rectifier or Compounder of Spirits, shall be desirous to have the Furnace or Furnaces of his Still or Stills opened, he, she, or they, if within the weekly Bill of Mortality, shall, twelve Hours at least, and in other Parts of *Great Britain*, twenty-four Hours at least, before the particular Hour or Time of the Day or Night when he, she, or they, intend to have the same opened, give Notice, in Writing, to the Officer of Excise who surveys his, her, or their Stillhouse, who, on receiving such Notice, shall attend accordingly: And when such Distiller and Maker of Low Wines or Spirits from Molasses, or other Material (not being Corn or Grain), shall be desirous to charge his, her, or their Wash Still or Wash Stills, he, she, or they, if within the weekly Bills of Mortality, shall give Notice, in Writing, to the Officer of Excise under whose Survey he, she, or they, then is or are, four Hours at least, or in other Parts of *Great Britain*, eight Hours at least, of the particular Hour or Time of the Day when he, she, or they, intend to charge such Wash Still or Wash Stills; which Notices for opening the Furnace Doors of Distillers from Molasses, or other Material (not being Corn or Grain), and also for charging the Wash Stills of such Distillers, shall be given at the Times herein mentioned; that is to say, from the twenty-ninth Day of *September* to the twenty-fifth Day of *March*, yearly, between the Hours of Seven in the Morning and Five in the Evening; and from the twenty-fifth Day of *March* to the twenty-ninth Day of *September*, yearly, between the Hours of Five in the Morning and Five in the Evening; and in case such Distiller and Maker of Low Wines or Spirits from Molasses, or other Material (not being Corn or Grain), shall not begin to charge his, her, or their Wash Still at the Time mentioned in such Notice, or within one Hour after, such Notice shall, in every Case respectively, be null and void; and the Distiller and Maker, in such Case respectively, shall be obliged to give another like Notice, in Writing, before the Officer shall be obliged to attend the charging of such Still or Stills, as aforesaid.

VII. And be it further enacted by the Authority aforesaid, That when and so often as any Distiller and Maker of Low Wines or Spirits for Sale shall give Notice, in Writing, to the Officers of Excise, of his Intention to charge his Wash Still or Wash Stills, as by this and the said recited Act is directed and required; every such Distiller or Maker of Low Wines or Spirits shall express, in such Notice, the particular Washbatch and Washbatches, from which he intends to charge his Wash Still or Wash Stills, and shall, in such Notice, describe the Number and Mark of such Washbatch and Washbatches; and if such Distiller or Maker of Low Wines or Spirits, shall neglect to express the particular Washbatch or Washbatches, with the Number and Mark, every such Notice shall be null and void; and every such Distiller or Maker of Low Wines or Spirits shall be obliged to give fresh Notice.

VIII. And be it further enacted by the Authority aforesaid, That if any such Distiller or Maker of Low Wines or Spirits shall at any Time charge his Wash Still or Wash Stills from any Washbatch or Washbatches not particularly mentioned or described in the Notice, as aforesaid, or shall discharge from, or take out of, any Still any Feints or spent Wash, contrary to the Directions of this Act; then, and in every such Case, he, she, or they, shall, for each Offence, forfeit the Sum of one hundred Pounds.

IX. And be it further enacted, That the Officers of Excise shall be permitted, and they are hereby empowered, to take Still Gauges, as well of spent Wash and Feints as of the Charge of the Wash Still and Wash Stills, at any Time or Times after the Still or Stills are charged, and before the Still or Stills come to work, and to take Samples of the same, at any Time or Times after the Still or Stills are charged, and before the Still or Stills come to work, and also after the Still or Stills are off, paying, if demanded, after the Rate of one Shilling and Sixpence per Gallon for the Wash, and Four-pence per Gallon for spent Wash and Feints so taken: And if the Officer, in taking such Gauge or Gauges, Sample or Samples, shall discover that any Wash has been put into any Still except the known Wash Still, or into the Wash Still without the Notice herein mentioned and required; or shall find any Increase in such Still or Stills more than can be accounted for by the Compare with the Decree, from the Washbatch or Washbatches particularly mentioned and expressed in the Notices to be given, as above directed; or if such Officer, on comparing the Quantity of Low Wines charged with the spent Wash remaining in the Wash Still, shall find a greater Proportion than could arise from the Quantity of Wash taken Account of in the Washbatches pumped into such Wash Still; then, and in each and every such Case, such Increase shall be deemed and taken to be made from some Washbatch or Washbatches not mentioned in such Notice, and the Officer shall, in every such Case,

Cafe, and he is hereby required and directed to charge such Distiller or Maker of Low Wines or Spirits with double the Duty from the presumptive Charge; and such Distiller or Maker of Low Wines or Spirits shall pay such double Duty accordingly; and no Allowance shall be made to any such Distiller or Maker of Low Wines or Spirits, for any Feints, Water, or other Liquor whatsoever, on any Pretence put into such Wash Still or Wash Stills, but such as shall have been put into such Still or Stills in the Sight and View of the proper Officer of Excise.

and no Allowance for Feints, &c. to be made, but what is put into Stills in the View of the Officer.

X. And be it further enacted, That if the Officer of Excise shall at any Time discover, at the Still-house of any such Distiller or Maker of Low Wines or Spirits, Rectifier or Compounder, in any Still or Stills, other than the known Wash Stills, any Wash put into or mixed with the Low Wines or Spirits in such Still or Stills, every such Distiller or Maker, Rectifier or Compounder, shall, for every such Offence, forfeit one hundred Pounds.

If the Officer discovers, in any Still, other than the known Wash Still, Wash mixed with Low Wines, &c. the Distiller to pay 100l.

XI. And whereas it may frequently happen, that Notices given under the Directions of this and of the above-recited Act may be given by more than one Distiller or Maker of Low Wines and Spirits, Rectifier or Compounder, in the same Division or District, and each of those Notices may express the same Hour or Time for the Officer of Excise to attend for the Purposes of the said Act, whereby the Officers may be greatly harassed; be it further enacted by the Authority aforesaid, That if the Officer of Excise shall attend at the Workhouse of any Distiller or Maker of Low Wines or Spirits, Rectifier or Compounder of Spirits, according to the Notice, or within one Hour after the particular Hour or Time mentioned in any such Notice, it shall be sufficient.

How the Officer may act when several Notices are given at one Hour.

XII. And be it further enacted by the Authority aforesaid, That if by any Means, Device, or Contrivance whatsoever, any Person shall open any Furnace Door, Discharge Cock, or any Fastening on the Holes or Openings in the Breasts of any Still or Stills, after the same shall have been locked or secured by the Officer of Excise; or shall wilfully hurt or damage any Lock, or other Fastening; every such Person shall, for every such Offence respectively, forfeit and lose the Sum of two hundred Pounds.

Any Person opening Furnace Doors, Discharge Cocks, &c. after being fastened by the Officer, forfeits 200l. Persons obstructing Officers forfeit 100l.

XIII. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall obstruct, hinder, or oppose any of the said Officers, in the Execution of the Powers given to him by this Act, the Person or Persons offending therein, shall, for every such Offence, forfeit the Sum of one hundred Pounds.

Fines, Forfeitures, &c. how to be sued for, and how to be applied.

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

XV. And whereas by an Act, passed in the Tenth Year of her late Majesty Queen Anne, it was enacted, That there should be raised, levied, collected, and paid, unto her Majesty, her Heirs and Successors, for and upon all Soap which at any Time or Times within or during the Term of thirty-two Years, should be imported into the Kingdom of Great Britain, over and above all former Customs or Subsidies, the Sum of Two-pence for every Pound Weight Avoirdupois; and for and upon all Soap which, during the said Term should be made within the said Kingdom, the Sum of one Penny for every such Pound Weight Avoirdupois: And whereas by one other Act, made in the Twelfth Year of the Reign of her said late Majesty, it was enacted, That the further Duty of one Penny, for and upon every Pound Weight Avoirdupois of such Soap so to be imported or brought into this Kingdom, and the further Duty of one Halfpenny for every such Pound Weight of Soap to be made in the said Kingdom, should be raised, levied, collected, and paid, for the Term of thirty-two Years, to be reckoned from the Time therein mentioned: And whereas by the said first-recited Act, it being judged reasonable to give an Ease or Encouragement to Persons employed in making or finishing Woollen Manufactures, it was therefore further enacted, That there should be paid to the said Manufacturers so much as one-third Part of the Duty granted by the said Act, for all Soap employed, spent, and consumed, in the making, finishing, or preparing any Manufacture of Sheep or Lambs Wool, upon Proof thereof made, as in and by the said Act is directed and required: And whereas by the said recited Act of the twelfth of her said late Majesty, it was provided and enacted, That during the Continuance of the Duties on Soap by that Act granted, there should be paid to all Persons who should employ, spend, or consume, any Quantity of Soap in any Manufacture of Sheep or Lambs Wool only, or Manufactures whereof the greatest Part of the Value of the Materials shall be Wool, or in Whiting of new Linen in the Piece, upon Proof thereof, as in and by the said last recited Act is directed, so much as the whole Duties by the said Act granted: And whereas the said several above recited Acts, and the Duties, Allowances, and Payments thereby granted and given, have been made perpetual: And whereas great Quantities of British-made Soap have of late been sold to the said Manufacturers of Wool and Linen, as and for Foreign Soap imported into this Kingdom, and such Manufacturers having employed, spent, and consumed the said Soap so purchased in the Manufacture of Wool and Linen, have applied to the proper Officers of Excise in their several Collections and Districts for the Allowance by the said several Statutes granted, and have claimed Payment of the Duties as for Soap imported, whereby the Revenue has been greatly lessened: For Remedy thereof, be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of June, one thousand seven hundred and seventy-four, there shall be paid to every such Manufacturer of Wool or Linen, as aforesaid, for all Soap employed, spent, or consumed, by him,

Act 70 Anno recited, relating to Importation and making of Soap.

Act 28 Anno recited, respecting Manufacturers who make use of Soap.

After 24 June, 1774, there shall be paid to every Manufacturer of

Wool the Duties paid for Soap made in this Kingdom.

Payments to be made as directed by the recited Acts.

Persons prosecuted for any Thing done by this Act may plead the General Issue.

Treble Costs.

her, or them, in such Manufactory, whether such Soap be imported into, or made in this Kingdom only, so much of the said Duties as are now paid for Soap made in this Kingdom; any Law, Statute, or Usage, notwithstanding.

XVI. And be it further enacted by the Authority aforesaid, That the said Payment shall be made on the like Proofs, and under the same Rules, Regulations, Oaths, Affirmations, Pains, and Penalties, as in and by the said above-recited Acts are directed and required.

XVII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or prosecuted, for any Thing done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, in his or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her, or them, on Demurrer, or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them, against any such Plaintiff or Plaintiffs.

C A P. LXXIV.

An Act for reducing the Rates and Duties payable upon the Importation of Great Raisins.

Preamble, reciting the Duties payable by the Book of Rates, 22 Car. 2. and 11 Geo. 2.

WHEREAS in and by the Book of Rates referred to by the Act of Tonage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, Raisins Great the Hundred Weight, containing one hundred and twelve Pounds, are rated at one Pound ten Shillings; and in and by the additional Book of Rates referred to by an Act, made in the eleventh Year of the Reign of his late Majesty King *George* the First, Raisins of *Alicant*, *Denia*, and other Raisins not otherwise rated, the Hundred Weight, containing one hundred and twelve Pounds, are rated at no more than ten Shillings: And whereas it has been found, by Experience, that the Duties payable upon Great Raisins, according to the Rate herein-before mentioned, are too high in Proportion to the real and true Value of such Raisins, which has been a great Discouragement to the Importation thereof, to the Prejudice of the Revenue and Trade of this Kingdom: For Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *July*, one thousand seven hundred and seventy-four, the Duties payable upon the Importation of Great Raisins, according to the said Rate of one Pound ten Shillings per Hundred Weight, shall cease, determine, and be no longer paid.

After 24 June, 1774, Duties payable by the said Rate, on the Importation of Raisins, to cease. Great Raisins to pay the old Subsidy by 22 Car. 2.

II. And be it further enacted by the Authority aforesaid, That, in lieu of the said former Rates and Duties repealed by this Act, all Great Raisins, or Raisins usually entered under that Denomination, which, from and after the said first Day of *July*, one thousand seven hundred and seventy-four, shall be imported or brought into this Kingdom, shall be rated to, and pay the old Subsidy granted by the Act of Tonage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, according to the Rate and Value of ten Shillings for every Hundred Weight, containing one hundred and twelve Pounds, and after that Rate for any greater or less Quantity of such Raisins; and the several further Subsidies, additional Duties, and all other Imposts and Duties whatsoever, to which such Raisins were subject and liable before the making of this Act, shall, in like Manner, be paid proportionably, according to the Rate or Value herein-before set thereon for the old Subsidy, and not according to any former Rate or Value; any Thing in any other Act to the contrary notwithstanding.

How the Subsidies and Impositions are to be raised and applied.

III. And be it further enacted by the Authority aforesaid, That the several Subsidies, Impositions, and Duties, made payable by this Act upon such Raisins, shall be raised, levied, collected, recovered, paid, and applied, in such Manner and Form, and by such Ways and Means, and under the like Penalties and Forfeitures, and with such Discounts, Allowances, and Drawbacks, as the said former Subsidies, and other Duties, were raised, levied, collected, recovered, paid, and applied, and were subject and liable to, and all the Powers, Penalties, Provisions, Articles, and Clauses, contained in the several Acts of Parliament, which granted or continued the same respectively, shall continue in full Force and Effect, and shall be applied, practised, and executed, for the raising, levying, collecting, recovering, paying, and applying, the said respective Subsidies, Impositions, and other Duties, according to the true Intent and Meaning of this present Act, as fully and effectually, to all Intents and Purposes, as if the said Clauses, Matters, and Things, had been repeated and enacted in the Body of this present Act.

C A P. LXXV.

An Act for enlarging the present, or providing a new Workhouse, for the Use of the Parish of *Saint Saviour Southwark*, and for regulating the Poor in such Workhouse; for widening *King Street*, at the Entrance into the *High Street, Southwark*; for making a Carriage Way from the said *High Street*, through the *Greyhound Inn*, into *Queen Street*, and for improving the Passage from thence into *Gravel Lane*, leading towards the *Black Friars Bridge Road*, in the Parish of *Christ Church*.

C A P. LXXVI.

An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds per Centum Annuities, in the Manner and on the Terms therein mentioned; and for establishing a Lottery.

C A P.

C A P. LXXVII.

An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.

WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can, and many of them are able to serve his Majesty by Sea or Land, yet are detained in Prison by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas such unhappy Debtors have always been deemed the proper Objects of publick Compassion, and, by several Acts of Parliament, have been discharged on the Conditions in such Acts mentioned; for the Relief, therefore, of Insolvent Prisoners and Fugitives, who shall comply with the Terms contained in this Act, to be respectively observed by them, and faithfully discover upon Oath, and deliver up and assign, all their Effects and Estates whatsoever, for the Benefit of their Creditors, and to prevent, as far as possible, the many Frauds and Abuses, which, in a great Measure, have obstructed the good Ends of such Acts; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every Gaoler or Keeper of any Prison, in any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, shall, is, and are hereby required to make a true, exact, and perfect List, alphabetically, of the Name or Names of all and every Person or Persons, who, upon the twenty-eighth Day of April, one thousand seven hundred and seventy-four, was or were, or, at any Time since, have been, and at the Time of making out every such List shall be, really an actual Prisoner or Prisoners, in the Custody of any Gaoler, or Gaolers, or Keeper of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, Contempt, or otherwise, and an Account of the Time when such Prisoner or Prisoners was or were respectively charged in Custody, or received in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices of the Peace, at their first or second General Quarter Sessions of the Peace, to be held after the passing of this Act, or at some Adjournment thereof, for such County, Riding, Division, City, Town, Place, or Liberty respectively.

Alphabetical Lists to be made out of Prisoners in Custody for Debt on April 28, 1774, or since that Date;

with the Time when charged, and at whose Suit.

The same to be delivered to the Quarter Sessions.

The Warden of the Fleet, and Marshal of the King's Bench Prison, to take the following Oath on delivering in their Lists.

II. And be it further enacted, That the Warden of his Majesty's Prison of the Fleet, and Marshal of the King's Bench Prison, shall severally, on the delivering in of any such List of Prisoners in their respective Custody, take an Oath, in the Open Court of such General Quarter Session of the Peace, or at some Adjournment thereof, to the Effect following; (that is to say:)

I A. B. upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names is or are inserted and contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-eighth Day of April, one thousand seven hundred and seventy-four, really and truly Prisoners, in actual Custody, in the Prison or Gaol of (*insert the Name of the Prison*), at the Suit or Suits of the several Person or Persons therein respectively mentioned; and also, that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List, now by me delivered in and subscribed as aforesaid, have, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, been committed or surrendered to the said Gaol or Prison of (*insert the Name of the Gaol or Prison*), at the Suit or Suits of the several Person or Persons therein respectively mentioned; except such Person or Persons who is or are in such List particularly mentioned and described to have died, been discharged, or removed to some other Prison, by Process of Law, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four; and also except such Person or Persons who is or are in such List particularly mentioned and described to have been permitted to have gone out of the said Prison, by Day Rules of the Court of (*Common Pleas, or King's Bench, as the Case shall be*), since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, to transact their Affairs; and also except such Person or Persons who is or are therein also particularly mentioned and described to have, upon the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or since, been in the Rules of the said Prison (*of the Fleet, or King's Bench, as the Case shall be*), by Leave of the (*Warden, or Marshal of the said Prison, as the Case shall be*); and have, to the best of my Knowledge and Belief, really and truly, ever since, continued and remained in actual Custody in the said Prison (*of the Fleet, or King's Bench, as the Case shall be*), or the Liberties thereof, at the Suit or Suits of the several Persons in the said List respectively mentioned; (*and if any Prisoner or Prisoners hath or have, since the said Twenty-eighth Day of April, one thousand seven hundred and seventy-four, escaped out of either of the said Prisons, then insert*), except (*insert the Name or Names of the Prisoner or Prisoners who have escaped*), who, without my Knowledge, Privity, or Consent, hath or have escaped out of the said Prison of

and that the said List is a true, exact, perfect, and just List of all such Persons who were really and truly Prisoners in actual Custody in the said Gaol or Prison of on the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, and who, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, have been committed to, and really have been, and now is or are, Prisoner or Prisoners, in actual Custody, in the said Gaol or Prison of or the Liberties thereof; and that none of such Prisoners, to my Knowledge, or with my Privity, have voluntarily, or

with Design, or in Expectation to take any Benefit from or under any Act of Parliament, to be made for Relief of Insolvent Debtors, surrendered themselves, or been committed to the said Prison, or got their Names entered as Prisoners in the Books of the said Prison, or since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, to my Knowledge, or with my Privy, have resided out of the said Prison of
 naming such by Name)

Other Gaolers, on delivering in their Lists, to take the following Oath.

And that every other Gaoler and Keeper of any other Prison or Prisons, in any County, City, Town, Riding, Division, Place, or Liberty, shall severally, on the delivering in of any such List respectively, take an Oath, in the open Court of the General Quarter Sessions of the County, City, Town, Division, Liberty, or Place, for which he or she shall deliver in any such List, and swear to the Effect following; (that is to say):

I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names are inserted or contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-eighth Day of April, one thousand seven hundred and seventy-four, really and truly Prisoners in actual Custody, in the Prison or Gaol of
 at the Suit or Suits of the several Persons therein respectively mentioned, and also that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List now by me delivered in, and subscribed, as aforesaid, have, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, been committed or surrendered to the said Gaol or Prison of *(if any such Prisoner or Prisoners hath or have, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, been committed or surrendered to such Gaol or Prison),* at the Suit or Suits of the several Person or Persons therein respectively mentioned, except *(if any Exception is necessary)* such Persons as are therein particularly mentioned and described to have died, been discharged, or removed to some other Prison by Process of Law, or to have escaped out of such Prison, without my Privy, Knowledge, or Consent, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four; and that all and every of them, whose Name and Names is and are contained in the first Part of the said List (except as before excepted), to the best of my Knowledge and Belief, have really and truly continued in actual Custody in the said Gaol or Prison of *ever since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four; and that the said List is a true, exact, perfect, and just List of all such Persons as were really and truly Prisoners in actual Custody in the said Gaol or Prison of*
 on the said Twenty-eighth Day of April, one thousand seven hundred and seventy-four, and who, since the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, have been really and truly committed, or surrendered to the said Gaol, or Prison of *(except as before excepted),* to the best of my Knowledge and Belief; and that none of such Prisoners, to my Knowledge, or with my Privy, have voluntarily, or with Design, or in Expectation, to take any Benefit, from or under any Act of Parliament to be made for Relief of Insolvent Debtors, surrendered or been committed to the said Prison or *or got his, her, or their Name or Names*
 entered as Prisoner or Prisoners in the Books of the said Prison, or, since their Commitment, have, to my Knowledge, or with my Privy, resided out of the said Prison of
[if any have so done, then add, except inserting their Names].

The Oath to be administered by the Justices in Court,

and entered and subscribed at the Bottom of each List. List to be kept by the Clerk of the Peace,

Copies of the Lists to be delivered in to be fixed up in the Prisons, and on the Gates thereof,

Persons inserted in the Lists being Prisoners,

Which said respective Oaths the said Justices, at the first or second General Quarter Session aforesaid, or at some Adjournment thereof, within their respective Jurisdictions, are hereby impowered and required to administer in open Court; and the Words of the said Oath herein before directed to be taken by the said Warden and Marshal respectively, shall be entered or written at the End or Bottom of the List which shall be delivered in by them respectively, and shall be subscribed and sworn to by them respectively in open Court; and the Words of the Oath, to be taken by every other Gaoler or Keeper respectively, shall be entered or written at the End or Bottom of the List which shall be delivered by them respectively, and shall be subscribed and sworn to by them respectively, in open Court: And every such List which shall be so delivered in, subscribed, and sworn to, in pursuance of this Act, shall be kept by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every such County, Riding, Division, City, Town, Place, or Liberty respectively, in which any such List as aforesaid shall be sworn to, for the better Satisfaction of the said Justices, and Information of all or any Prisoner or Prisoners therein named; and so as the same may, from Time to Time, be seen and examined by any Creditor or Creditors of Prisoner or Prisoners, without Fee or Reward.

III. And be it further enacted by the Authority aforesaid, That all and every Gaoler and Gaolers, and Keeper of any Gaol or Prison, is and are hereby required, ten Days at least before the first or second General Quarter Sessions of the Peace shall be held, after the passing of this Act, for the County, Riding, Division, City, Town, Place, or Liberty, in which any Gaol or Prison shall be, or to which the same belong, to fix up, in some conspicuous Place or Places in every such Prison, and at the most frequented and usual Gate, Door, or Entrance, into every such Prison, three or more true Copies of the List or Lists proposed or intended to be delivered in by any such Gaoler or Keeper at the said General or Quarter Sessions, or at some Adjournment thereof.

IV. And be it further enacted, That all and every Person and Persons, whose Name or Names shall be inserted in any such List to be delivered in as aforesaid, who, upon the said Twenty-eighth Day of April, one thousand seven hundred and seventy-four, were really and truly Prisoners in the actual Custody of

of any Gaoler or Gaolers, or Keeper of any Prison respectively of this Kingdom, and did not come into, or get his, her, or their Names entered in the Book of any Gaol or Prison as a Prisoner or Prisoners there, with a View or Design to take the Benefit of some Act for Relief of Insolvent Debtors, and who shall take the Oath herein-after mentioned, and shall perform, on his or her Part, what is required to be done by him or her by this Act, shall be for ever released and discharged from his or her Imprisonment, in such Manner as hereafter is provided.

V. Provided always, and be it enacted by the Authority aforesaid, That any Prisoner or Prisoners who shall be in actual Custody at the Time of passing this Act, and was or were, on or before the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, arrested, and in actual Custody of an Officer, for any Sum or Sums of Money, by virtue of any Writ or Process issuing out of any Court of Record, and held to Bail thereon, and did, on or before the sixteenth Day of *May*, one thousand seven hundred and seventy-four, surrender him, her, or themselves, or was or were surrendered in Discharge of his, her, or their Bail, and thereupon committed to Prison, and has or have continued therein, until the passing of this Act, by virtue of such Commitment; every such Prisoner or Prisoners shall, upon due Proof of the Premises upon Oath, be discharged from such Debt or Demand, in like Manner as if such Prisoner or Prisoners had been actually in Prison upon the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, and continued therein as aforesaid; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before imposed upon Prisoners actually in Custody upon the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four; and also subject to the same Terms and Provisions relating to the Estate and Effects of every such Prisoner as aforesaid.

VI. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace of any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any such Prisoner or Prisoners to any Justice or Justices of the Peace, within his or their respective Jurisdictions, upon every such Prisoner or Prisoners so petitioning, and, at the Time of his or her so petitioning, leaving with the Justice or Justices of the Peace who shall be so petitioned a true Copy of the Schedule, containing his or her intended Discovery of his or her Real and Personal Estate, to be sworn to at the first or second General Quarter Session next ensuing after every such Petition, or some Adjournment thereof, by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any such Prison, within the Jurisdiction of any such Justice or Justices, to bring before the Justices, at the first or second next General Quarter Session of the Peace, or any Adjournment thereof, to be held, as the Case shall happen to be, next after the Expiration of ten Days from the Date of such Warrant for such respective County, Riding, Division, City, Town, Place, or Liberty, the Body of any Person being in the said Prison as aforesaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cause or Causes which he, she, or they, is or are charged with in any such Gaol or Prison as aforesaid, at the Time aforesaid; which Warrant of every such Justice or Justices, every such Sheriff and Sheriffs, Gaoler, or Keeper, is and are hereby commanded to obey.

VII. And be it also enacted, That the Copy of every Schedule which shall be left with any such Justice or Justices, shall, within ten Days after the same shall be so left, be transmitted by the Justice or Justices, with whom the same shall be so left, to the Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, in which the same shall have been so left, there to remain and be inspected, from Time to Time, as Occasion shall require, by any Creditor of any such Prisoner who shall desire to inspect the same.

VIII. And be it also enacted, That every such Justice or Justices who shall refuse or omit, for the Space of six Days, to transmit the Copy of the Schedule, so left with him as aforesaid, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, in which the same shall have been so left, shall, for every such Offence, forfeit and pay the Sum of ten Pounds; which shall and may be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, together with Costs of Suit, in the Name of any Person who shall prosecute for the same; and one Moiety of which Money forfeited shall, when recovered, go to the Party who prosecutes for the same, and the other Moiety thereof to the Poor of the Parish in which the Offence shall be committed.

IX. And be it further enacted, That all and every Prisoner and Prisoners, who shall intend to petition to be discharged under this Act, as aforesaid, shall first cause publick Notice to be inserted in three several *London Gazettes*, previous to such General Quarter Sessions, and the Adjournment thereof, at which the said Prisoner or Prisoners shall apply to be discharged from any Gaol in *London*, or within the weekly Bills of Mortality; and if such Prisoner shall be in Custody in any Gaol out of *London*, or the weekly Bills of Mortality, then also in some Newspaper, which shall be published in or near the County, Riding, Division, City, Town, Liberty, or Place, in the Gaol whereof he or she shall be so in Custody; containing the Name, Trade, and Occupation, and two last Places of Abode, if so many, of every such Prisoner and Prisoners, and the Prison wherein he, she, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act; and mentioning such Notice in each *Gazette* or Newspaper, to be the first, second, or third Notice, according to the Time of publishing each of such Notices; and for the inserting of each of which said several Notices in the said *Gazette*, or in any other Newspaper, there shall be paid, each Time, by every such Prisoner, Two-pence, and no more: The first of which said Notices shall be so inserted in the said *Gazette*, or in the said other Newspapers, as the Case may require, thirty Days at least, and the last of the said Notices ten Days at least, before any such first or second General Quarter Session, and Adjournment thereof, shall be held as aforesaid; so that as well all the Creditors who have not charged the said Prisoner or Prisoners in Custody as those Creditors who have

without a fraudulent Intention, on April 28, 1774, conforming to the Regulations of this Act, shall be discharged. Prisoners in Custody at the Time of passing this Act, who were arrested for Debt on or before April 28, 1774, and held to Bail, and surrendered on or before May 16, 1774, on conforming to the Regulations of this Act shall be discharged.

Justices, upon the Petition of the Prisoner, and his delivering a Schedule of his Estate,

are to issue their Warrant for bringing the Prisoner to the Quarter Sessions, &c.

with the Warrant of Detainer and Copy of the Writ, &c. Gaoler, &c. to obey such Warrant.

Schedule of the Prisoner's Estate to be transmitted to the Clerk of the Peace, for Inspection of the Creditors. Justices refusing or omitting for six Days to transmit a Copy of the Schedule to the Clerk of the Peace, shall forfeit 10 l.

Prisoners intending to petition for their Discharge, are to give previous Notice thereof thrice in the *Gazette*, &c.

Contents of the Notice.

2 d. each Time, and no more, to be paid for inserting Notices. First Notice to be inserted 30 Days, and the last 10 Days, before the Quarter Sessions, &c.

charged such Prisoner or Prisoners in Execution, or on mesne Procefs, or otherwise, may have sufficient Notice thereof.

Prisoner being brought into Court, due Publication of the Notices required being proved, &c.

to deliver in a Schedule of his Estate, Debts, and Creditors.

X. And be it further enacted, That every such Prisoner as aforesaid, who, in pursuance of any such Warrant as aforesaid, shall be brought to the General Quarter Session, or any Adjournment thereof, shall, in case it shall be proved upon Oath, or by producing the said three *Gazettes* and Newspapers before mentioned to the said Justices, at any such Session or the Adjournment thereof, that such Notices were inserted in the *London Gazette*, and other Newspapers, were required, in Manner as herein-before is directed, and that the Person or Persons so petitioning was or were actually a Prisoner or Prisoners on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, or since, in the Gaol or Prison in which his, her, or their Name or Names is or are specified in the List of Prisoners there, delivered in at any such first or second Session, or any Adjournment thereof, as aforesaid, in pursuance of this Act, shall, in open Court, at the said General Quarter Session, or any Adjournment thereof, subscribe and deliver in a true Schedule or Account of all his or her real Estate, either in Possession, Reversion, Remainder, or Expectancy; and also of the whole of his or her personal Estate, which he or she, or any Person or Persons in Trust for him or her, or for his or her Use, Benefit, or Advantage, is or are seized of, interested in, or entitled to, or was or were in his or her Possession, at any Time since his or her Commitment to Prison, with the Names of his or her several Debtors, and where they respectively live, or may be met with; and the several Sums of Money from them respectively owing, and how the same respectively became due, and are secured; and if by Mortgage, Specialty, Contract, Note, or other Writing, than the Name and Names, and Places of Abode of the several Witnesses who can prove such Debts or Contracts (if there be any such), and shall also make Oath and swear to the Effect following; (that is to say,)

Prisoner's Oath on delivering in the said Schedule.

‘ I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, protest, and declare, That on the twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, I was a Prisoner, or else [*as the Case may be*], that since the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, I have surrendered, or have been committed to the Prison of in Discharge of my Bail, or for Want of Bail [*as the Case shall be*]; and that I was actually arrested, and in Custody of an Officer, before the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, in the Action or Suit, Actions or Suits, in which I surrendered, or was committed as aforesaid, to the said Gaol or Prison of and that I have, ever since my said Surrender or Commitment, continued a Prisoner within the Prison of in the actual Custody of the Gaoler or Keeper of the said Prison of or within the Liberties thereof, at the Suit of and without any Fraud or Collusion whatsoever, and that the Schedule now delivered by me, and subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery of all the Goods, Effects, and Estates, Real and Personal, either in Possession, Reversion, Remainder, or Expectancy, which I, or any Person in Trust for me, or for my Benefit or Advantage, am seized of, interested in, or intitled to, or was or were in my Possession at any Time, since my Commitment to Prison; and of all Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Use, or to any Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing; and of the Witnesses that can prove such Debts or Contracts [*if any such there be*]; and that neither I, nor any other Person or Persons in Trust for me, or for my Use, have any Lands, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, or Expectancy, other than what are in the said Schedule contained, except Wearing Apparel, and Bedding for myself and Family, Working Tools, and necessary Implements for my Occupation and Calling, together with a Sum of Money not exceeding forty Shillings, and these in the whole not exceeding the Value of twenty Pounds; and that I have not, nor any Body for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Estate, Real or Personal, whereby to secure the same, or to receive or expect any Profit or Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in any-wise howsoever.

So help me GOD.

Schedule and Oath to be subscribed in the Court, and lodged with the Clerk for the Examination of the Creditors. Court, if required by the Creditor, may administer an Oath to the Gaoler, or any other Person, touching any of the Matters prescribed to be sworn to.

And the said Schedule and Oath shall be, by every such Prisoner subscribed in the Presence of the Justices in open Session of the Peace, as hereby is directed, and shall be kept by, and remain with, the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, City, Liberty, Division, Town, or Place, where the same shall be subscribed and taken, for the better Information of all the Creditors of such Prisoner who shall desire, or may have Occasion, to resort thereto; and every such Creditor shall be at Liberty, at reasonable Times in the Day-time, to peruse and examine the same.

XI. And be it further enacted, That the Justices within their respective Jurisdictions, at any such General Quarter Session, or Adjournment thereof, at the Request of any Creditor or Creditors of any such Prisoner, are hereby authorized to cause the Deputy Warden and Marshal of the *Fleet* and *King's Bench* Prison, and any other Under Officer, Tipstaff, and Turnkey, of any Gaol or Prison, and any other Person, to come before them, and to examine them respectively on Oath, touching any of the Matters contained in any of the Oaths prescribed by this Act to be taken, and the Truth thereof; and if the Oath which shall have been taken in open Court by any Prisoner or Prisoners shall not be disapproved by good Testimony of any credible Person or Persons on Oath, and such Justices, or the major Part of them, present at any such General Quarter Session, shall be satisfied with the Truth of the Oath taken by any such respective Prisoner,

Prisoner, then such Justices shall, in such Session, or some Adjournment thereof, command the said Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Prison or Prisons, forthwith to set at Liberty such Prisoner or Prisoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with every such Prisoner at such General Quarter Session, or any Adjournment thereof, in order for his, her, or their Discharge (and which every such Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers, of such Prison or Prisons, is and are hereby authorized to receive and take for every such Order): And every such Order shall be a sufficient Discharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Prison or Prisons, and shall indemnify him or them against any Escape or Escapes, or Action or Actions whatsoever for Escape, which shall or may be brought, commenced, or prosecuted against him or them.

The Prisoner's Oath not being disproved, the Court is to discharge him, upon paying a Fee of 1s. to the Gaoler. Gaoler indemnified for the Escape.

XII. And be it further enacted by the Authority aforesaid, That all the Estate, Right, Title, Interest, and Trust, of such Prisoner, of, in, and unto, all the real Estate, as well Freehold and Copy as Customary-hold, and to all the personal Estate, Debts, and Effects, of every such Prisoner, shall, immediately after the Discharge of any such Prisoner, be, and the same is hereby vested in the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, of and for the County, Riding, City, Town Corporate, Division, Liberty, or Place, where any such Prisoner shall be respectively discharged; and every such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, is hereby directed and required to make an Assignment and Conveyance of every such Prisoner's Estate and Effects, vested in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, to such Creditor or Creditors of the said Prisoner, as the Justices at any General Quarter Session of the Peace, or at any Adjournment thereof, which shall be held by them within their respective Jurisdictions, shall order and direct (which Assignment and Conveyance shall be good and effectual in Law to all Intents and Purposes whatsoever, without being wrote on Parchment or Paper stamped); and to vest the Estates thereby assigned and conveyed in the Party or Parties to whom the same shall be so assigned and conveyed, his, her, and their Heirs, Executors, Administrators, and Assigns, according to the Estate and Interest the Prisoner had therein; and for the preparing, ingrossing, and executing of which Assignment and Conveyance, no Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace, shall take any greater Fee than two Shillings; and every such Assignment and Conveyance shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner to whom the same shall be made, and the rest of the Creditors of such Prisoner, in respect or in proportion to their respective Debts; and every Person or Persons to whom any such Assignment and Conveyance as aforesaid shall be made, is and are hereby fully 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 attaining any Estate or Effects of any such Prisoner, and also to execute any Trust or Power vested in, or created for, the Use or Benefit of any such Prisoner, but in Trust for the Benefit of him or themselves, and the rest of the Creditors of every such Prisoner; and to give Discharge and Discharges to any Debtor or Debtors of any such Prisoner, as shall be requisite: And every such Assignee or Assignees shall, with all convenient Speed, after his or their accepting any such Assignment or Conveyance, use his and 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 Estates of such Prisoner vested in such Assignee or Assignees; and if any such Prisoner shall be interested in, or intitled to, any real Estate, either in Possession, Reversion, or Expectancy, the same, within the Space of two Months after every such Assignment and Conveyance, shall be sold by publick Auction, in such Manner, and at such Place, as the major Part of the Creditors of any such Prisoner who shall assemble together on any Notice in Writing published in the *London Gazette*, or in some Daily Paper, if the Prisoner before his going to Gaol resided in *London*, or in the Weekly Bills of Mortality, and if elsewhere, then in some Newspaper which shall be published in or near the County, Riding, Division, City, Town, Liberty, or Place, in which such Prisoner dwelt before he or she was committed to Gaol, thirty Days before any such Sale shall be made, shall, under his Hand, or their Hands, agree on: And every such Assignee or Assignees, at the End of three Months at farthest from the Time of his or their accepting any such Assignment or Conveyance as aforesaid, shall make a just and fair Dividend of all such Prisoner's Estates and Effects, which shall have been then in amongst his or her Creditors, in proportion and in regard to each Creditor's respective Debts; but before any such Dividend shall be made, such Assignee or Assignees shall make up an Account of such Prisoner's Estate, and make Oath in Writing, before one or more Justice or Justices of the Peace of the County, Riding, Division, Town, Liberty, or Place, in which any such Prisoner shall have been discharged, that every such Account contains a just and fair 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; and Notice of the making of every such Dividend shall be published in like Manner as a Meeting of Creditors is herein-before directed to be published, thirty Days at least before the same shall be made; and no Creditor shall be allowed to receive any Share of such Dividend, until he shall have made out the Justness and Identity of his respective Debt by Oath, or due Proof in Writing, before some such Justice or Justices: And if any Creditor of such Prisoner shall be dissatisfied with the Reality or Fairness of any Debt claimed by any other Creditor, then the same, at the Request of any such Creditor or Creditors so dissatisfied, shall be examined into by the Justices of the County, Riding, Division, City, Liberty, or Place, in which such Prisoner shall have been discharged, at their next General Quarter Session, and what they shall there determine in the Premises shall be conclusive to all Parties: And if, after Payment of all such Prisoner's Creditors, there shall any of his Estate and Effects remain, after Payment of all reasonable Charges, the same shall be paid to such Prisoner, his Executors or Administrators.

Estate and Effects of the Prisoner, upon his Discharge, to vest in the Clerk of the Peace, who is to make over the same to the Assignees named by the Court;

for which he is to be paid 2s. and no more.

Assignees empowered to sue,

and execute any Trust or Power in the Prisoner's Behalf; and give Discharges: They are also to get in with all Speed the Estate and Effects of the Prisoner, and make Sale, within two Months, of Prisoner's real Estate, in Manner agreed upon at a Meeting of the Creditors summoned for that Purpose; and make a Dividend within three Months; first making up their Accounts, and verifying the same upon Oath.

30 Days Notice to be given of making any Dividends; and none to receive any Share thereof but such as shall prove their Debts. Debts entered to be examined into and determined by the Court.

Surplus of the Prisoner's Estate to the Prisoner.

etc, after satisfying all Claims thereon, to go

XIII. Pro-

No Suit in Equity to be commenced, but by Consent of the Majority in Value of the

XIII. Provided further, and be it also enacted, That no Suit in 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 to be given in the *London Gazette* for that Purpose.

Clerk of the Peace to exhibit to the Creditor, or his Attorney, upon Payment of 1s. the Schedule of the Prisoner's Estate and Effects.

XIV. And be it further enacted by the Authority aforesaid, That the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every respective County, City, and County Town, and County Riding, Division, Cinque Port, Liberty, and Place, with whom any Schedules of the Estates of any Insolvent Debtor or Debtors, Fugitive or Fugitives, shall be left, and his Successors, Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace as aforesaid, shall, on the reasonable Request of any Creditor or Creditors of such Insolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and shew to such Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Estates of any such Insolvent Debtor or Debtors, Fugitive or Fugitives, which shall be left with any such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or his Predecessor in that Office; the Person so requiring to see and peruse any such Schedule paying or tendering to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whose Custody any such Schedule shall be, or his Deputy, the Sum of one Shilling for his Trouble in searching for, and looking out, such Schedule, and attending whilst the same shall be perused by the Party or Parties requiring to have the same looked out, and to peruse the same: And that a true Copy of every such Schedule, signed by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whose Custody the same shall be, or his Deputy, purposing the same to be a true Copy of such Schedule, without being wrote on stamped Paper (and for which Copy no more shall be paid than Sixpence by the Sheet, each Sheet to contain seventy-two Words, and so in proportion for a less Number of Words in any Sheet), shall, at all Times, be admitted, in all Courts whatsoever, as legal Evidence of the same: And if any Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, shall, on reasonable Request as aforesaid, neglect or refuse to produce to any such Creditor or Creditors as aforesaid, or his or their Attorney, any such Schedule as aforesaid, and to permit the same to be inspected as aforesaid, in the Day-time, on such Payment or Tender as aforesaid being made to him; or shall ask or take more than after the Rate of Sixpence by the Sheet, each Sheet to contain seventy-two Words, and so in proportion for less than seventy-two Words in a Sheet; or shall refuse to make and deliver a Copy of any such Schedule, on being requested as aforesaid so to make the same, and having the Money tendered to him for Payment of such Copy, after the Rate aforesaid; shall, for every such Offence, forfeit and pay the Sum of ten Pounds; which shall and may be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, together with Treble Costs of Suit, in the Name of any Person who shall prosecute for the same: And one Moiety of which Money forfeited shall, when recovered, go to the Party who prosecutes for the same, and the other Moiety thereof to the Poor of the Parish in which the Offence shall be committed.

Attended Copy thereof to be granted,

which shall be Evidence in all Courts.

Clerk of the Peace refusing to produce such Schedule, or to deliver a Copy thereof, or taking exorbitant Fees for the same, forfeits 10l. and Treble Costs; One Moiety to the Prosecutor, and the other to the Poor of the

Assignees of Copyhold and Customary Estates to compound with the Lord of the Manor, and to be admitted Tenants thereupon.

XV. Provided always, and be it enacted, That before such Time as any Assignee or Assignees as aforesaid shall enter on, or take any Profit from, any Copyhold or Customary Estate as aforesaid, he or they shall agree and compound with the Lord or Lords of the Manor or Manors of whom the same shall be holden, for the Payment of such Fine or Income as, upon any Surrender and Admission thereto, hath heretofore been most usually accustomed to be paid; and that upon every such Agreement or Composition, the said Lord or Lords for the Time being, at the next Court, or some subsequent Court, which shall be holden for the said Manor or Manors, after such Agreement made, shall admit such Assignee or Assignees Tenant to such Copyhold or Customary Premises, according to the Custom of the said Manor or Manors of which the same shall be holden, for and during such Estate and Interest as the Prisoner had therein at the Time of his or her being discharged as aforesaid, reserving the Rents, Duties, Heriots, Customs, and Services, payable and to be rendered in respect of the said Copyhold or Customary Premises.

The Prisoner's Right and Interest, &c. only to be affected by this Act.

XVI. Provided also, That nothing herein contained shall extend to prejudice or affect any Estate or Interest, or Right whatsoever, of any other Person or Persons, other than the said Prisoner or Fugitive which may be expectant upon, or subject unto, the Estate or Interest of the said Prisoner or Fugitive hereby vested in the said Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace; but that the Estate, Interest, and Right whatsoever, of every other Person and Persons, shall remain, continue, and be saved to them, in the same Manner as if this Act had not been made.

All Mortgages, Statutes, &c. are to take place preferable to Claims of an inferior Nature.

XVII. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to hinder or prevent, any Mortgage or Mortgages upon the Estate of such Prisoner or Prisoners, or any Part thereof, to take place upon the Lands, Tenements, or Hereditaments, comprised in such Mortgage or Mortgages respectively; nor to prevent any Statute-staple, Statute-merchant, Recognizance, or Judgment, acknowledged by or obtained against any such Prisoner or Prisoners, to take place upon the Lands, Tenements, or Real Estate of such Prisoner or Prisoners; and also where any Inquisition shall have been taken upon any such 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 Discharge shall be given in open Session to any such Person as aforesaid, the personal Estate of every such Prisoner respectively shall be subject thereto, in the first place, for so much as shall remain due upon such Mortgage, Statute, Recognizance, or Judgment respectively, in like Manner as such Mortgagees and Creditors, by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, against the real or personal Estate of such Prisoner and Prisoners respectively, if this

Act had not been made; any Thing herein-before contained to the contrary thereof in any-wise notwithstanding.

XVIII. And whereas many Persons who may be intitled to, and claim the Benefit of, this Act, are seized and possessed of Lands, Tenements, and Hereditaments, to hold to such Prisoners for the Term of their natural Lives, with Power of granting Leases, and taking Fines, reserving small Rents on such Estates, for one, two, or three Lives, in Possession or Reversion, or for some Number of Years determinable upon Lives, which said Powers ought to be executed for the Benefit of the Creditors of such Prisoners; be it therefore enacted by the Authority aforesaid, That in every such Case, all and every the Powers of leasing such Lands, Tenements, and Hereditaments, 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 for the Benefit of all and every the Creditors of such Prisoners as aforesaid.

Power in the Prisoner of leasing Lands, &c. to vest in the Assignees.

XIX. And whereas, in some Gaols or Prisons in this Kingdom, the Office of Gaoler or Keeper is held in Fee for Life, or otherwise, by Persons who never act as Gaolers or Keepers themselves, or know any Thing of the Prisoners therein, but depute or employ some Gaoler or Persons under them as Gaolers or Keepers of such Gaols or Prisons; be it therefore enacted, That, in every such Case, the Person who shall have been actually employed, and acted as deputed Gaoler or Keeper of any such Gaol or Prison, at the Time of the delivering in the Lists, hereby directed to be delivered in, of Prisoners in any such Gaol or Prison, at any General Quarter Session of the Peace, or some Adjournment thereof, and not the principal Gaoler or Keeper (unless where such principal Gaoler or Keeper shall act as Gaoler or Keeper himself), shall take the Oath herein-before appointed to be taken by the Gaoler or Keeper of every such Gaol or Prison.

The acting Gaoler at the Time of delivering the Lists, only liable to be sworn.

XX. And be it further enacted by the Authority aforesaid, That the Justices, at any General Quarter Session of the Peace, or Adjournment thereof, to which any Prisoner shall be brought in pursuance of this Act, shall, if required by any Creditor or Creditors of any such Prisoner or Prisoners, who shall oppose his or her Discharge, administer, and give to the Gaoler, or the Person who acts as Gaoler or Keeper of any such Prison, at the Time of bringing up any such Prisoner, in order to be discharged under this Act, an Oath to the following Effect; (that is to say,)

Court, if required by a Creditor opposing the Prisoner's Discharge, is to administer the following Oath to the Gaoler.

I A. B. do swear, That I was really and truly a Prisoner in my Custody, in the Prison of to the best of my Knowledge and Belief, at or upon the twenty-eighth Day of April, one thousand seven hundred and seventy-four; and that the Copy or Copies of the Cause or Causes of his or her Commitment or Detainer, now by me brought with the Body of the said and produced to this Court, is or are a true Copy or Copies of the Cause or Causes of such Detainer or Commitment, without any Fraud or Deceit by me, or any other Person whatsoever, to the best of my Knowledge and Belief.

The Oath.

So help me G O D.

And if any Person who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison on the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or since, shall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, at the Time any such List as aforesaid is hereby required to be delivered in, then the Justices, at any such Session, or at any Adjournment thereof, may and are hereby required to administer, and give to the respective Person or Persons who shall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, and deliver in any such List as aforesaid, at any such General or Quarter Session, or any Adjournment thereof, an Oath, touching the Commitments, or Books of Commitment of any such Prison, to the Effect following; (that is to say,)

If such Person shall not have been the Gaoler on April 28, 1774, &c. then the following Oath is to be administered to him.

I A. B. do swear, That I have examined the Commitments, or Books kept of or concerning the Commitment of Prisoners to the Prison of in the [County, Riding, Division, City, Town, Place, or Liberty of as the Case shall be]; and that I do verily believe that the said Commitments, or Books of Commitment, are really true, and not fictitious, nor calculated for this Purpose; and by them it doth appear, that was on the twenty-eighth Day of April, one thousand seven hundred and seventy-four, really and truly a Prisoner in the actual Custody of the then Gaoler or Keeper, or deputed Gaoler or Keeper, of the said Prison, without Fraud or Deceit by me, or any other Person or Persons to my Knowledge and Belief.

The Oath

So help me G O D.

XXI. And, in order to discover any fraudulent Entries or Commitments of Prisoners in any Gaol Books, be it further enacted by the Authority aforesaid, That the Justices, at any General or Quarter Session of the Peace, or any Adjournment thereof, are hereby authorised, at the Request of any Creditor or Creditors of any Prisoner, to convene before them, at some certain Time to be appointed by them, any Person or Persons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Prison within their respective Jurisdictions, on the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or at any Time since; and to examine every such Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Custody of any such Prisoner, as the Justices, at any such General or Quarter Session, or Adjournment thereof, shall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to bring before such Justices, at any Session of the Peace, or Adjournment thereof, any Prisoner, as shall be directed and required

Court, if required by a Creditor, may summon the Person who acted as Gaoler on April 28, 1774, or since, and examine him touching the Commitment and Continuance in Custody

body of the Prisoner.
Gaoler disobeying the Warrant or Order of the Court, &c. forfeits 100l. with Treble Costs.

Debtors who were beyond the Seas on April 28, 1774, surrendering themselves, may take the Benefit of this Act;

upon the same Terms as other Prisoners;

excepting such Particulars wherein the Cases of both differ.

Fugitive's Oath.

quired by Warrant of any Justice or Justices as aforesaid, or to attend on being summoned for that Purpose; or if any Gaoler or Keeper attending shall refuse to make Answer and Discovery in the Premises, as shall be reasonably required at such General or Quarter Session, or any Adjournment thereof, he, she, or they, so offending in the Premises, shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds; to be recovered by, and in the Name, and for the Use of, the Party injured, by Action of Debt, to be brought in his or her Name, in any of his Majesty's Courts of Record at *Westminster*, together with Treble Costs of Suit.

XXII. And whereas a great Number of Workmen, skilful in the several Trades and Manufactures of this Kingdom, and also many able Seamen and Mariners, finding themselves unable to satisfy the Whole of their respective Debts, and dreading the Miseries of a Gaol, have chose to leave their Employments and Native Country, and have entered themselves in Foreign Service: And whereas their Continuance abroad must be of great Prejudice to the Trade of this Kingdom; in order therefore to induce and enable such Persons to return, be it enacted by the Authority aforesaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas, in Foreign Parts, on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, and did not go into such Foreign Parts with the View or Intent to gain or have the Benefit of an Insolvent Debtors Act, who shall return and surrender himself or themselves, within fourteen Days next immediately after his or their landing in *England*, unto the Gaoler or Gaolers, Keeper or Keepers, of the Prisons of the *King's Bench*, *Marshalsea*, or *Fleet*, or to the Gaoler or Keeper, or deputed Gaoler or Keeper, of the Prison or Prisons of such County, City, Town, Riding, Division, Liberty, or Place, where such Debtor or Debtors last dwelt for the Space of six Months (which said Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and impowered to receive and detain such Debtor or Debtors, surrendering as aforesaid, in order to their Discharge, as herein-after mentioned), and who, from and immediately after such Surrender, do continue in actual Custody of such Gaoler and Gaolers, Keeper or Keepers, until the Time of his Discharge, shall be deemed a Prisoner or Prisoners within, and be, to all Intents and Purposes, intitled to the Benefit of, this Act; and shall upon due Proof of the said Premises, by the Oath of such Debtor or Debtors (not disproved by any credible Witness), be discharged in the same Manner as if he, she, or they, had been actually in Prison on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, and continued therein as aforesaid; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before imposed upon the said Prisoners actually in Custody upon the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, and also subject to the Terms and Provisions relating to the Estate and Effects of such Prisoner, as aforesaid; excepting only such Particulars thereof as require the Name of a Prisoner to be inserted in the Gaoler's or Keeper's List, as aforesaid, or relate to the Oaths of such Gaoler or Keeper herein-before appointed to be taken; which Particulars cannot possibly be applied to the Case of Persons surrendering themselves as aforesaid; and also except the said Oath herein-before appointed to be taken by Prisoners in Custody upon the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four; instead whereof the Person or Persons so surrendering shall take an Oath, in open Court, at some General or Quarter Session of the Peace, or some Adjournment thereof, of the County, City, Town, Riding, Division, Place, or Liberty, in the Prison of which any such Fugitive or Debtor shall be held, after the Surrender of any such Fugitive or Debtor, to the Effect following; which the said Justices, authorised to put this Act in Execution, are hereby required and impowered to administer, in such Manner as the Oaths herein-before mentioned are to be administered,

I *A. B.* upon my corporal Oath, in the Presence of Almighty God, solemnly swear, protest, and declare, That I was actually, on the twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, beyond the Seas in Foreign Parts; *videlicet*, at _____ and that I did, within fourteen Days next immediately after my landing, surrender myself to the Custody of the Keeper of _____ [as the Case may be]; and that I have ever since such my Surrender continued a Prisoner in his Custody; and that the Schedule now delivered, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery, of all the real Estate, Goods, Effects, and other personal Estate, in any-wise belonging to me; and also of all such Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or whereby or wherefrom any Benefit or Advantage may accrue to me, or to my Use, or to any other Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing; and of the Witnesses that can prove such Debts or Contracts [if any such there be]; and that neither I, nor any Persons in Trust for me, is or are seized of any real Estate in Possession, Reversion, or Remainder, or Expectancy, or of any personal Estate of any Kind whatsoever, other than what are in the said Schedule contained; except my wearing Apparel, and Bedding for myself and Family, my Working Tools, and necessary Implements for my Occupation and Calling, together with a Sum of Money not exceeding forty Shillings, and not exceeding in the Whole the Value of twenty Pounds; and that I have not, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my real Estate, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or personal Estate whatsoever, whereby to secure the same, so as to receive or expect any Profit or Advantage therefrom to myself or Family, or with any View, Intent, or Design, to defraud or deceive any Creditor or Creditors, to whom I am indebted in any-wise howsoever, or prevent their recovering or attaining their respective Debts.

'So help me G O D.'

XXIII. Pro-

XXIII. Provided also, and be it enacted, That if any Fugitive intending to surrender to the Terms of this Act, shall, within the Space before mentioned of fourteen Days, be arrested in any Suit or Action, whose Cause of Action accrued before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, such Fugitive giving Notice (as before directed) to any Justice of the Peace at the next General Quarter Sessions, and in all other Respects complying with the Terms and Conditions of this Act, shall be intitled to the Benefit of the same; and every Sherif, Bailiff, or Officer, Gaoler or Keeper of a Prison, in whose Custody such Fugitive shall be detained, shall conform him or themselves to the Directions of this Act, in like Manner as before mentioned.

Fugitives arrested, intending to surrender, to be intitled to the Benefit hereof.

XXIV. And be it further enacted by the Authority aforesaid, That if any Gaoler or Keeper of any Prison, or his Deputy or Deputies, shall, without just Cause, to be approved of by the Justices at some General Quarter Session of the Peace, or Adjournment thereof, within their respective Jurisdictions, refuse or delay to bring any such Prisoner or Prisoners as aforesaid to any such General Quarter Session, or some Adjournment thereof, in order to his or her Discharge; or shall neglect, refuse, or designedly omit to insert, in any such List, the Name or Names of any such Prisoner or Prisoners who was or were actually in Custody in his or their respective Gaol or Prison on the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or since; or shall neglect or refuse to make out, fix up, or deliver such Lists as aforesaid; or if any such Gaoler or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to take any of the said Oaths before mentioned, and hereby required to be taken by him; or shall, upon any Account or Pretence whatsoever, take or receive more than the said Sum of one Shilling herein-before allowed for his or her Attendance, in order to be discharged of such Prisoner or Prisoners as aforesaid; or shall detain any such Prisoner after he or she shall be discharged as aforesaid; or if the Printer of the *London Gazette*, or other News-paper, as aforesaid, shall wilfully refuse or neglect to insert therein the Name, Trade, Occupation, and last Place of Abode, of such Prisoner, on reasonable Request to him made for that Purpose, and Tender of the Money hereby directed to be paid; or shall take or receive any Fee or Gratuity more than Two-pence, as aforesaid, for doing thereof; every such Gaoler and Keeper of such Prison or Prisons, his Deputy or Deputies, and every such Printer as aforesaid, shall respectively forfeit and pay to each Prisoner, in any such Case injured, the Sum of one hundred Pounds; which shall and may be recovered, with Treble Costs of Suit, by Action of Debt, Bill, Complaint, or Information, in any of the Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlanee, shall be allowed.

Gaoler, and Printer of the Gazette, or other News-paper, not complying with the Regulations in this Act, forfeit 100l. to the Prisoners, with Treble Costs of Suit.

XXV. And be it further enacted by the Authority aforesaid, That if any such Gaoler or Gaolers, or Keeper or Keepers, or any deputed Gaoler or Keeper, of any Prison, shall, in taking of the afore-mentioned Oaths, swear or perjure himself, and shall thereof be lawfully convicted, such Gaoler or Keeper, or deputed Gaoler or Keeper, of such Prison or Prisons (over and above such Penalties as may be inflicted on Persons convicted of Perjury), shall, upon every such Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Costs, by Bill, Complaint, or Information, or Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed, by and in the Name of such Person or Persons, his or their Executors and Administrators, to whom any Assignment or Conveyance, in pursuance of this Act, shall be made of the Estate and Effects of such Prisoner or Prisoners; and if no such Assignee or Assignees shall be living, then in the Name or Names of any other Creditor or Creditors who shall sue for the said Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of such his Creditor or Creditors.

Gaoler convicted of Perjury, forfeits 500l. with full Costs of Suit, &c.

One Moiety to go to the Informer, and the other towards Creditors.

Satisfying the Debts of the

XXVI. And be it further enacted, That if any Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, shall delay or refuse to give every or any such Prisoner, so discharged as aforesaid, within fourteen Days after his or her Discharge, a Copy of the Order of his or her Discharge, on the Payment of two Shillings and Sixpence; or shall take more than the said Sum of two Shillings and Sixpence for such Copy; or shall take more than one Shilling for an Assignment or Conveyance of such Prisoner's Estate or Effects; every such Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, who shall so offend, and who shall be convicted at any such General or Quarter Session of the Peace, or any Adjournment thereof, of any such Offence, shall, for every such Offence, forfeit and pay to every such Prisoner the Sum of twenty Pounds, as the Justices of the Peace, at any such General Quarter Session of the Peace, or Adjournment thereof, shall order; and who are hereby empowered to cause the same to be levied by Distress and Sale of the Goods of any such Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, so offending.

Clerk of the Peace refusing the Prisoner a Copy of his Discharge; or taking exorbitant Fees for the same; or for assigning over the Prisoner's Estate and Effects; forfeits 20l. to the Prisoner.

XXVII. And be it further enacted by the Authority aforesaid, That if any Prisoner as aforesaid, or any other Person or Persons who shall take the Benefit of this Act, shall swear or perjure himself, herself, or themselves, in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he, she, or they, so offending, shall be adjudged a Felon, and suffer as such, without Benefit of Clergy.

Prisoner convicted of Perjury to suffer as a Felon.

XXVIII. And be it further enacted by the Authority aforesaid, That no Person to be discharged by this Act shall, at any Time hereafter, be imprisoned by reason of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Costs, Sum or Sums of Money, contracted, incurred, occasioned, owing, or growing due, before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four; but that upon every Arrest upon every Judgment, or such Decree, or for such Debts, Damages, Contempts, Costs, Sum and Sums of Money, it shall and may be lawful for any Judge of the Court where the Process issued, upon shewing the Copy of the Order of such Prisoner's Discharge or Discharges, to release and discharge out of Custody such Prisoner or Prisoners as aforesaid; and every

Person discharged by this Act, not liable to Arrest of Debts, &c. contracted before 28 April, 1774.

every such Judge is hereby impowered so to do, on such Prisoner's causing a common Appearance to be entered for him in every such Action and Suit.

But no Prisoner to be discharged of Debts subsequent to April 23, 1774.

XXIX. And whereas, under former Acts of this Kind, Doubts have arisen, what was to be done with such Prisoners who applied at any Session to be discharged, who owed and stood charged with Debts, as well previous as subsequent to the Day limited by the respective Acts; to remedy which, be it therefore enacted by the Authority aforesaid, That no Prisoner or Prisoners shall be discharged of any Debts subsequent to the twenty-eighth Day of April, one thousand seven hundred and seventy-four; and if it shall appear to the Justices, in any Session, or Adjournment, that any Prisoner or Prisoners, then applying to them to be discharged, shall stand charged as well with Debts previous to as subsequent to the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, that, in such Cases, it shall and may be lawful to and for the Justices to discharge him or her of all Debts previous to the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, 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 with which he or she stands charged with in his Custody, subsequent to the said twenty-eighth Day of April, one thousand seven hundred and seventy-four.

Justices, Sheriffs and Gaolers, may plead this Act to any Action of Escape, or Suit brought against them, and recover Treble Costs. Persons discharged may plead generally, &c. to all Actions or Judgments brought against them before April 23, 1774, &c.

XXX. And be it further enacted by the Authority aforesaid, That if any Action of Escape, or any Suit or Action, be brought against any Justice or Justices of the Peace, Sheriff, Gaoler, or Keeper of any Prison, for performing their Office, in pursuance of this Act, they may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited, or discontinue his Action, or Verdict pass against him, or Judgment upon Demurrer, the Defendant shall have Treble Costs.

and in other Suits, may plead in Discharge of their Persons from Execution.

XXXI. And be it further enacted by the Authority aforesaid, That if any Scire Facias, or Action of Debt, or upon Judgment, shall be brought against any Prisoner, his or her Heirs, Executors, or Administrators, upon any Judgment obtained against any such Prisoner, or on any Statute or Recognizance acknowledged by him or her, before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, with respect to Prisoners in actual Custody, or with respect to Debtors beyond the Seas, as aforesaid, upon the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, it shall be lawful for any such Prisoner, his or her Heirs, Executors, or Administrators, to plead generally that such Prisoner was actually a Prisoner in such Prison at such a Person's Suit, or was or were beyond the Seas in Foreign Parts on the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, and was or were duly discharged, according to this Act, at the General Quarter Session, or Adjournment thereof, held at such Time and Place, for such County, Riding, Division, Liberty, City, Town, or Place (as his, her, or their Case is), without pleading any Matter specially; and in case any other Suit or Action shall be commenced against him, her, or them, for any other Debt, Sum or Sums of Money, due before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, to plead in Discharge of his or her Person from Execution (over and above such Matters as aforesaid), that such Debt or Sum of Money (as the Case shall happen) was contracted or due before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, without pleading any other Matter specially; whereto the Plaintiff shall or may reply generally, and deny the Matters pleaded as aforesaid, or reply any other Matter or Thing which may shew the said Defendant not to be intitled to the Benefit of this Act, or not duly discharged according to it, in the same Manner as the Plaintiff might have replied, in case the Defendant had pleaded this Act, and his Discharge by virtue of this Act, specially; and if the Plaintiff be nonsuited, discontinue his Action, or Verdict pass against him, or Judgment on Demurrer, the Defendant to have Treble Costs.

Plaintiff may reply generally, &c.

but if nonsuited, is to pay Treble Costs.

XXXII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to release or discharge any Attorney at Law, or Solicitor, or any other Person or Persons acting or pretending to act as such, with regard to any Debt with which he or they shall stand charged, for any Money, or other Effects, recovered and received by him or them, for the Use of any Person or Persons, Bodies Corporate or Politick, and by any Attorney, Solicitor, or other Person or Persons acting as such, embezzled, concealed, or converted, to his or their own Use; or to release or discharge any Servant or Agent, or any Person or Persons employed or intrusted as such, with regard to any Debt or Demand with which he, she, or they, shall stand charged, for and on account of any Money, Goods, or other Effects, received or possessed by him, her, or them, for the Use and on Account of his, her, or their Master or Masters, or Employers, and by such Servant or Agent embezzled, concealed, or converted, to his, her, or their own Use; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Gaoler to permit the speaking in private to Prisoners, whose Names are inserted in the List, or Gazette, &c. and the examining the original Books of Entries, &c. on Penalty of 40l. with Costs of Suit.

XXXIII. And be it further enacted by the Authority aforesaid, That every Gaoler or Keeper of any Prison shall, and is hereby required to suffer, in the Day-time, any Person or Persons desiring the same, to see and speak, in the Lodge, or some convenient Room of the said Prison, with any Prisoner or Prisoners, whose Names are inserted in the afore-mentioned List or Lists, or London Gazette, or other News-paper, or any of them, or any Persons surrendering themselves pursuant to this Act; and also see, in the true and genuine Books of the said Prison, the Entries made of the Name or Names of such Prisoner or Prisoners, together with the Name or Names of the Person or Persons at whose Suit or Suits he, she, or they, are detained: And if any such Gaoler or Keeper shall neglect or refuse to comply with what is here above required, every such Gaoler or Keeper, who shall so offend in the Premises, shall forfeit and pay to the Person so refused and aggrieved the Sum of forty Pounds; to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts at Westminster, wherein no Effoin, Protection, Wager of Law, or more than one Imparance, shall be allowed, by and in the Name or Names of the Person or Persons so refused and aggrieved.

Prisoners future Estate, or Money in the Funds, notwithstanding their

XXXIV. And whereas several Persons who have taken the Benefit of Acts of Insolvency, from a Difficulty of obtaining a new Credit to set themselves up in their usual Trades and Occupations (as their future Effects have been made liable to their Debts previous thereto), have gone abroad, for the better Maintenance

* Maintenance of themselves and Families, carrying the Arts and Manufactures of this Country to our Enemies, or Rivals in Trade: In order to prevent such Evil for the future, be it enacted, That the future real Estates, as well Freehold and Copyhold, as Customary Copyhold, or Money in the Funds, or lent upon real Security only, of every such Person or Persons, Prisoner or Prisoners, Fugitive or Fugitives; which, after the Time of his, her, or their total Surrender of his, her, or their Estates and Effects, under such Acts, he, she, or they, shall or may be seized of, in his, her, or their own Right or Use, by Grant, Demise, or Purchase, shall remain and be liable to his, her, and their respective Creditors, as before the making of this Act: And any Creditor or Creditors of any such Prisoner or Prisoners, Fugitive or Fugitives, may, at any Time hereafter, sue out Execution, Extents, or other Process, against such real Estate as aforesaid of such Person or Persons, on any Judgment at the Time of such Discharge recovered, or Statute-staple, or Recognizance acknowledged by, or Sentence or Decree obtained against, any such Prisoner or Fugitive; but not against his, her, or their Person, or his, her, or their personal Estate or Effects, obtained or accrued since such Time of such Discharge, other than as aforesaid.

personal Discharge, liable to Creditors;

who may sue out Execution, but not against their Persons, or personal Effects obtained since their Discharge.

XXXV. And be it also enacted, That any Creditor or Creditors of any Prisoner or Prisoners, Fugitive or Fugitives, who shall be discharged under this Act, may, at any Time after any such Discharge, commence and prosecute any Action or Suit against any such Prisoner or Fugitive, his, her, or their respective Heirs, Executors, or Administrators, for the Recovery of any Sum or Sums of Money which shall be due from any such Prisoner or Prisoners, Fugitive or Fugitives, at the Time of his or her said Discharge, but shall not hold the Person of any such Prisoner or Fugitive to Special Bail; nor shall take the Person, or personal Estate and Effects, other than as aforesaid, of any such Prisoner or Fugitive, in Execution, by any Judgment, Sentence, or Decree, which shall have been, or hereafter may be, recovered or obtained against any such Prisoner or Fugitive; and any Judge of the Court, out of which such Execution shall issue, shall have Power to discharge the same, by virtue of this Act: And in any Action or Suit, which shall be hereafter commenced against any such Prisoner or Fugitive, his or her Heirs, Executors, or Administrators, no Benefit or Advantage shall be had or taken for that the Cause of Action did not accrue within three Years next before the commencing of any such Action or Suit; nor shall any Statute or Limitation be pleadable, or be allowed to be pleaded in Bar of or in any such Action or Suit, which shall be hereafter commenced by any such Creditor or Creditors against any such Prisoner or Prisoners, unless such Cause of Action or Suit did not accrue within three Years next before any such Prisoner or Fugitive shall be discharged under this Act; and, in any such Case, the same may be pleaded by any such Prisoner, his or her Heirs, Executors, or Administrators.

Creditors may sue for the Recovery of Debt due at the Time of the Prisoner's Discharge, but not hold the Prisoner to Special Bail, nor take his Person, &c. by any Judgment recovered against him; and no Advantage is to be taken of the Cause of Action not accruing within three Years, nor of the Statute of Limitation.

XXXVI. Provided always, and be it likewise enacted, That by the Discharge of any Prisoner or Fugitive by force of this Act, no other Person or Persons who was or were Partner or Partners in Trade with any such Prisoner or Fugitive, at the Time of his or her Discharge under this Act, or then stood bound, engaged with, or liable to, the Payment of any Debt with any such Prisoner or Fugitive, or engaged in any Contract together with any such Prisoner or Fugitive, shall be discharged from any such Debt or Demand; but every such other Person and Persons shall severally stand and be chargeable with, and liable to pay, such Debt and Debts, and to perform such Contracts, in like Manner as if any such Prisoner or Fugitive had never been discharged from the same.

Discharge of Prisoner no Acquittal to the Copartner or Sureties.

XXXVII. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Prison or Prisons, shall make, or cause to be made, any false Entries in any Book or Books belonging to any Prison or Gaol under his Care, or of which he is or was Gaoler, or shall prepare or keep, or cause to be prepared or kept, any false Book or Books, in order for any false or untrue Entry or Entries to be made therein; or shall insert in any List, to be delivered in as aforesaid, the Name or Names of any Person or Persons who was not a Prisoner or Prisoners in actual Custody in any such Gaol or Prison upon the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or shall not have ever since remained in such actual Custody (except as in the Oath of any such Gaoler or Keeper, or reputed Gaoler or Keeper, shall be excepted), every such Gaoler or Keeper, or reputed Gaoler or Keeper, shall, over and above the Penalties which he shall be liable to for every such Fraud, forfeit and pay the Sum of five hundred Pounds; to be recovered, with Treble Costs of Suit, by and in the Name, and for the Use, of any Person or Persons who shall be prejudiced by any Entry, or such false Entries; which Penalties shall and may be recovered by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, or Wager of Law, or more than one Impar lance, shall be allowed.

Gaoler making false Entries in the Prison Book or Lists, forfeits good, with Treble Costs,

over and above all other Penalties for such Fraud.

XXXVIII. And be it further enacted, That if any Prisoner, being thereunto required by any Creditor, shall refuse to discover and declare the Trade or Occupation, and Habitation, or last Place of Abode, of the Person or Persons at whose Suit he or she is detained or charged in Custody; or, being called for and desired, by any Creditor or Creditors, to come to the Lodge of the Prison in which any such Prisoner shall be confined, without some reasonable Cause being made appear to the contrary; every such Prisoner, upon Proof being made thereof before the Justices at any General or Quarter Session of the Peace, or any Adjournment thereof, to be held as aforesaid, shall not have or receive any Benefit or Discharge by or under this Act; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Prisoner refusing to declare the Abode, &c. of the Person at whose Suit he is detained, or to come to the Creditor in the Lodge, is excluded the Benefit of this Act. Justices may assemble at any convenient Place near to either of the County Gaols,

* XXXIX. And whereas there is but one Common or County Gaol for each of the respective Counties of York, Lincoln, Lancashire, and Durham, which said Counties are each of them divided into several Ridings or Divisions, all which have several Commissions of the Peace; and if the Gaolers of those Gaols be obliged to carry the Debtors, Prisoners therein, to the Quarter Session of each Riding or Division, the same will be a very great Charge, not only to such Gaolers, but also to the Prisoners in those large Counties; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for two or more Justices of the Peace for any of the Ridings or Divisions in the respective Counties

(or

and hold a Session there for Discharge of Prisoners.

Justices for the County of Surrey may assemble at the Town-hall of Southwark for administering Oaths, &c.

Those who are Prisoners for their Fees, or other Demands of the Gaoler or Officer, to be discharged.

Debtors to the Crown, and Prisoners who owe above 2000 l. to one Person, unless the Creditors consent, are excluded the Benefit of this Act. Creditor opposing Prisoner's Discharge, to allow him 3 s. 6 d. per Week.

On Non-payment for two Weeks, Prisoner to be discharged. Determination of the Justices to be final with respect to the Retention of any Prisoner;

unless the Prisoner get rid of the Objection for which they refused his Discharge. The Justices, on Proof by two Witnesses of Objection being removed, &c. may discharge such Prisoner.

Discharges to be obtained by August 1, 1776.

Persons seized of an Estate Tail, claiming the Benefit of this Act, are to deliver up the same to the Creditors.

Provido.

(or any other County or Counties where the Prisons are at a Distance from the Place where the Sessions are held), at the Common or County Gaol thereof respectively, or at some convenient Place near thereto, and they are hereby required to assemble and meet, and to hold Session there, by Adjournment from their respective Quarter Session, from Time to Time, for the Discharge of the respective Prisoners therein, according to the Powers, Limitations, and Directions of this Act.

XL. And whereas the next General Quarter Session of the Peace for the County of Surrey, which will happen after the passing of this Act, will be in the County, and upwards of twenty Miles from any of the said Prisons; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for such Justices as shall be assembled at the General Quarter Session of the Peace to be holden for the County of Surrey next after the passing of this Act, and they are hereby required forthwith to adjourn the said Session to the Town-hall in the Borough of Southwark, for the Purpose of administering the Oaths required to be taken and subscribed by this Act, by the several Gaolers within the said County wherein any Prisoner or Prisoners are confined, and to the discharging such respective Prisoner or Prisoners confined therein, according to the Powers, Limitations, and Directions, of this Act.

XLI. And be it further enacted by the Authority aforesaid, That all Debtors and others, who were in Prison on or before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, or since, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or any other Demands due, or claimed, as due to the Keeper or Gaoler of any Prison respectively, or to any other Officer of any such Prison, and upon no other Account, shall be discharged therefrom, he, she, or they, taking the Oath by this Act required to be taken by Prisoners.

XLII. Provided always, That this Act shall not extend to discharge any Person out of Prison, seeking his or her Discharge under this Act, with respect to any Debt with which he or she shall stand charged at the Suit of the Crown, if the Discharge of such Prisoner is opposed by Council, but if not opposed, then the said Prisoner to be discharged, he complying, in all other Respects, to the Directions of this Act; or shall be charged by any Body Politick or Corporate, or by any one Person, on or before the said twenty-eighth Day of April, one thousand seven hundred and seventy-four, in any Sum exceeding the Sum of two thousand Pounds, besides Interest and Costs, and whose Discharge shall be in Court opposed by such Body Politick or Corporate, or one Person: And if any such Body Politick or Corporate, Creditor or Creditors, to whom a Sum exceeding two thousand Pounds shall be owing, shall oppose the Discharge of such Prisoner, and shall insist that such Prisoner be continued in Gaol, that then, and in such Case, such Body Politick or Corporate, or Creditor or Creditors, opposing the said Prisoner's Discharge as aforesaid, shall, at his, her, or their proper Costs and Charges, allow and pay, in the Whole, such a weekly Maintenance to the said Prisoner, not exceeding four Shillings, nor less than three Shillings and Sixpence per Week, in such Manner as the said Justices, in their General Quarter Session, or some Adjournment thereof, shall order; and, upon Non-payment of the same for the Space of two Weeks, the said Prisoner, upon Application to the said Justices in their General Quarter Session, held as aforesaid, shall be discharged, pursuant to the Intent and Meaning of this Act.

XLIII. And whereas, under former Acts, Creditors have been put to great Expences and Trouble in attending every Session and Adjournment, during the whole Continuance of the Act, to oppose the Discharge of Prisoners clearly excluded from any Benefit under the said respective Acts, but who, after having been before one Session heard, and refused a Discharge, to harass their Creditors, constantly gave fresh Notices for each subsequent Session and Adjournment of their intended Application to be discharged; to remedy which, be it further enacted by the Authority aforesaid, That in all Cases whatever, the Determination of the Justices in Session, or Adjournment, shall be final to all Intents and Purposes, unless the Prisoner shall, during the Continuance of this Act, get rid of the Objection or Objections for which they refused his Discharge; and, that the same may be clear and certain, the Justices are hereby required to state the Objections why such Prisoner's Discharge is refused by them; and, in all Cases whatever, it shall and may be lawful to and for the Justices, at any subsequent Session, or Adjournment, upon Application from the Prisoner, upon due Proof on Oath made to them by two or more credible Witnesses (and which Oath they are hereby impowered to administer), of each Objection or Objections being removed, and on Proof of Notice served, at least ten Days previous to such Application on the Creditor or Creditors who before opposed his Discharge, and of Notice likewise inserted in the Gazette, in Manner before directed by this Act, to order such Prisoner to be brought before them, and if they shall then be of Opinion the said Prisoner is intitled to the Benefit of this Act, to order him to be discharged, he taking the Oath, and in all other Respects conforming to the Directions of this Act.

XLIV. Provided always, That every Fugitive or Fugitives, intitled, or to be intitled, to the Benefit of this Act, shall obtain their respective Discharges on or before the first Day of August, one thousand seven hundred and seventy-six, or shall be excluded from all Benefit of this Act.

XLV. And whereas it may happen that several Persons, who may claim and be intitled to the Benefit of this Act, are seized of an Estate Tail, in some Freehold or Copyhold Lands, Tenements, or Hereditaments, which Entail, with the Remainders thereupon expectant, they have, by Law, Power to defeat and bar, either by levying a Fine or Fines, suffering a common Recovery or common Recoveries, or by Surrender or Surrenders thereof, whereby such Person or Persons said Freehold or Copyhold Lands, Tenements, or Hereditaments, would be liable to the Payment of their Debts, and be delivered up, according to the Terms of this Act, for the Benefit of their Creditors; be it therefore enacted by the Authority aforesaid, That in every such Case, such Person or Persons, so seized as aforesaid, and who shall be intitled to, and claim the Benefit of, this Act, shall, to all Intents and Purposes whatsoever in Law, be deemed and taken, and is and are hereby declared to be seized of such Lands, Tenements, and Hereditaments, in Fee: Provided the same shall be delivered up to the Creditor or Creditors

of

of every such Prisoner, in the same Manner as if such Person or Persons had actually levied a Fine, suffered a common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become seised in Fee; any Law, or Construction of Law, to the contrary thereof in any-wise notwithstanding.

XLVI. And whereas many Persons, who may take the Benefit of this Act, have been great Dealers, or otherwise engaged in large Transactions, whereby they may be intitled to sundry and great Debts and Demands, of various and intricate Natures, and they may be intitled to Equities of Redemption of Estates, subject and liable to Mortgages, Judgments, or other Incumbrances, or to Reversions, Remainders, or other contingent Estates in Lands, Tenements, or Hereditaments, or to other Trusts or Interests in Estates, both Real and Personal, which may not be sufficiently described or discovered in the Schedule or Inventory before directed to be delivered in upon Oath, as aforesaid, or which may want his Aid or Assistance to adjust, make out, recover, or manage, for the Benefit of the Creditors; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Assignees of the Estate and Effects of such Prisoner or Prisoners who shall obtain his, her, or their Discharge, in pursuance of this Act, or any other Person or Persons, duly authorised by them for that Purpose, from Time to Time, to apply to any two or more of the Justices of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, where such Person or Persons shall be then residing, thereby desiring that such Person or Persons may be further examined as to any Matters or Things relating to his, her, or their Estate or Effects; whereupon such Justices shall send for, or call before them, such Person or Persons, by such Warrant, Summons, Ways, or Means, as they shall think fit; and, upon such Person's appearing, shall examine him, her, or them, as well upon Oath as otherwise, as to such Matters and Things, as such Assignee shall desire, relating to the Estate and Effects of such Person or Persons; and if any Person or Persons (on Payment, or Tender of Payment, of such reasonable Charges as such Justices shall judge sufficient), shall neglect or refuse to come and appear, not having a lawful Excuse, to be made known to such Justices, and by them allowed, or, being come before them, shall refuse to be sworn, or to answer to all such Questions as by such Justices shall be put to him, her, or them, relating to the Discovery of his, her, or their Estate or Effects so vested, or intended to be vested, in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or in such Assignees as aforesaid, that then it shall and may be lawful to and for such Justices, by Warrant under their Hands and Seals, to apprehend such Person or Persons so offending as aforesaid, and him, her, or them, to commit to the common Gaol, there to remain, without Bail or Mainprize, until such Time as he, she, or they, shall submit him, her, or themselves, to such Justices, and answer upon Oath to all such lawful Questions as shall, by such Justices, be put to him, her, or them, for the Purposes aforesaid.

Assignees may apply for further Examination of Prisoner, touching the Discovery of his Effects, &c.

and Justices may send for and examine the Prisoners accordingly. Persons refusing to appear, or to answer upon Oath, may be committed.

XLVII. And be it further enacted by the Authority aforesaid, That all and every such Person and Persons who shall, within twelve Months after the Discharge of such Prisoner or Prisoners, voluntarily come in and make a Discovery of any Part of such Debtor or Debtors Real or Personal Estate, as shall not be comprised in such Schedule as aforesaid, before any Justices aforesaid, shall be allowed after the Rate of twenty Pounds *per Centum*, out of the Net Produce of such Debtor or Debtors Estate which shall be recovered on such Discovery, and which shall be paid to such Person or Persons so discovering the same, by the Assignee or Assignees of such Prisoner's Estate and Effects.

20l. per Cent. allowed on discovering within twelve Months any Part of the Prisoner's Estate not returned in the Schedule.

XLVIII. Provided always, and be it enacted, That notwithstanding the Discharge of any Prisoner or Prisoners by virtue of this Act, if it shall hereafter appear the same was obtained fraudulently, or that any Part of the Oath taken by any such Prisoner was not true; then, and in every such Case, every such Discharge shall be void and of none Effect.

Discharge obtained fraudulently, void.

XLIX. And, for the better Discovery of the Estate and Effects of any Prisoner who shall be discharged by virtue of this Act, be it enacted by the Authority aforesaid, That any Person or Persons who shall have accepted of any Trust or Trusts, and shall wilfully conceal or protect any Estate, Real or Personal, of any such Prisoner from his Creditors, and shall not, within thirty Days after any Assignee or Assignees shall, in pursuance of this Act, be chose of any such Prisoner's Estate, discover and disclose to such Assignee or Assignees such Trust and Estate, in Writing, and deliver up or make over the same to such Assignee or Assignees, he, she, or they, so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, and also double the Value of the Estate, either Real or Personal, so concealed, to and for the Use of the Creditors of any such Prisoner; to be recovered by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, in the Name or Names of the Assignee or Assignees of such Prisoner's Estate, together with Treble Costs of Suit.

Persons concealing any Estate or Effects of the Prisoner, forfeit 100l. and Double Value, with Treble Costs of Suit.

L. And be it further enacted by the Authority aforesaid, That it shall be lawful, at all Times hereafter, for any Assignee or Assignees of the Estate or Effects of any Prisoner or Prisoners, who shall be chose in pursuance of this Act, by and with the Consent of the major Part in Value of such Prisoner or Prisoners Creditors, who shall be present at a Meeting to be held on twenty-one Days publick Notice being previously given for the Purpose hereafter mentioned in the *London Gazette*, if the Prisoner was in Custody in *London*, or within the weekly Bills of Mortality, and if not, then also in some News-paper which shall be published in the County, City, or Place, in or near which any such Person shall have been in Gaol, to make Composition with any Person or Persons, Debtors, or Accountants, to such Prisoner or Prisoners, where the same shall appear necessary or reasonable; and to take such reasonable Part of any such Debt as can, upon such Composition, be gotten, in full Discharge of such Debts and Accounts, and also to submit any Difference or Dispute between such Assignee or Assignees and any Person or Persons, for or on account, or by reason or means of any Matter, Cause, or Thing, relating to such Prisoner or Prisoners Estate or Effects, or to any Debt or Debts due, or claimed to be due, to or from such Prisoner or Prisoners to the final End and Determination of Arbitrators, to be chosen by the said Assignee or Assignees, and the major Part in Value of such Creditors, and the Party or Parties with whom they shall have no Difference,

Assignees, with Consent of the Majority in Value of the Creditors, may compound for Debts due to the Prisoner's Estate;

and may submit any Dispute relating thereto to Arbitration.

ence, and to perform the Award of such Arbitrators, or of any Umpire to be chosen by them, or otherwise to settle and agree the Matters in Difference or Dispute between them, in such Manner as the said Assignee or Assignees, with such Consent as aforesaid, shall think fit, and can agree; and the same shall be binding to all the Creditors of such Prisoner or Prisoners; and every such Assignee or Assignees is and are hereby indemnified for what they shall fairly do in the Premises, in pursuance of this Act.

If Assignees die before the Effects of the Prisoners are got in, and their Heirs, &c. refuse to act, other Assignees to be appointed, and Creditors to obtain a new Assignment from the Clerk of the Peace, which the Justices are to direct. Clerk of the Peace to obey the Order, as if no Assignment had been made.

‘ LI. And whereas, under former Acts of this Nature no Provision was ever made what should become of the Estate and Effects of any Prisoner or Prisoners, Fugitive or Fugitives, not got in, obtained, or recovered, by any Assignee or Assignees, chose pursuant to the Directions of the several Acts, at the Time of his or their Death or Deaths, and whose Heir or Heirs, Executors, Administrators, and Assigns, refused to act or meddle therein;’ to remedy which, be it enacted, That in all such Cases, it shall and may be lawful to and for the Creditors of every such Prisoner or Prisoners, Fugitive or Fugitives, to chuse a new Assignee or Assignees in Manner and Form as herein-before is directed, and to obtain a new Assignment from the Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, pursuant to the Order of the Justices; and which said Order the said Justices are hereby required and empowered to direct (on due Proof on Oath being made to them of the Death of such former Assignee or Assignees, and Refusal of his or their Heirs, Executors, Administrators, and Assigns, to act or meddle therein); and the said Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, are hereby empowered to obey the same, and execute such Assignment accordingly, in Manner and Form as if no former Assignment had ever been made, the said Assignee or Assignees, Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, hereby conforming to all Orders and Directions made by this Act relative to them, or any of them; and to be liable to all such Pains and Penalties as are inflicted on them, or any of them, by virtue of this Act, for Disobedience in any Part thereof, or Neglect of Duty whatever: And in case any such Assignee or Assignees shall die, and his Heirs, Executors, Administrators, or Assigns, shall refuse to act; that then, and in such Case, it shall be lawful for such Justices of the Peace to appoint a new Assignee or Assignees, with the like Powers and Authorities as are given by this Act, and the said Justices shall have Power, in a summary Way, to oblige the Heirs, Executors, Administrators, and Assigns of such Assignee or Assignees, to account and deliver up all such Estates and Effects as shall remain in his or their Hands, to be applied for the Purposes of this Act.

Assignees complained against for Insufficiency, Fraud, Mismanagement, or other Misbehaviour;

the Court thereupon is to summon the Parties, and make such Orders therein as they shall think fit.

‘ LII. And, to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as shall be discharged by virtue of this Act may be duly and faithfully applied for the Benefit of his, her, or their real Creditors,’ be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts at *Westminster*, and the Courts of Great Sessions in *Wales*, and the Principality of *Chester*, and the Counties Palatine of *Lancaster* and *Durham* respectively, from whence any Process issued upon which any such Prisoner or Prisoners was or were committed, or where the Process issued out of any other Court, to and for the Judges of the Court of King’s Bench, Common Pleas, and Exchequer, or of Great Sessions aforesaid, within their respective Jurisdictions, or any one of them, from Time to Time, upon the Petition of any such Prisoner, or the Creditor or Creditors of such Prisoner or Prisoners, complaining of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of any Assignee or Assignees of the Estate or Effects of any such Prisoner or Prisoners, to summon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or Displacing such Assignee or Assignees, and appointing any new Assignee or Assignees in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just, or equitable Management or Distribution of the Estate and Effects of any such Prisoner, for the Benefit of the respective Creditors, as the said Courts or Judges respectively shall think fit; and in case of the Removal or Displacing of any Assignee or Assignees, and the Appointing of any new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall, from thenceforth, be divested out of the Assignee or Assignees so removed or displaced, 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 chose as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

Where mutual Credit hath been given, the Balance to be stated and allowed.

‘ LIII. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where mutual Credit hath been given between any Prisoner or Prisoners, who shall be discharged in pursuance of this Act, and any other Person or Persons, or Body Politick or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners, upon Oath as aforesaid, the respective Assignee and Assignees of such Prisoner or Prisoners is and are hereby authorized and required, on his and their Parts, to state and allow an Account between them and the other Party or Parties concerned; and nothing more shall be deemed to be vested in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or such Assignee or Assignees under such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be justly due to him, her, or them respectively, as and for the Balance of such Account, when truly stated.

Persons committed for not paying Money awarded under Submissions to Arbitration; and for not paying Costs; and upon Writ of *Excommunicato Capiendo*, &c.

‘ LIV. And whereas many Persons are often committed on Attachments, for not paying Money awarded to be paid under Submissions to Arbitrations by Rules of Court, or under Submissions to Arbitration Bonds, and which Submissions have been made Rules of Court, in pursuance of an Act, passed in the ninth and tenth Years of the Reign of *William* the Third, for determining Differences by Arbitration; and likewise 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 any Writ of *Excommunicato Capiendo*, or other Process for, or grounded on, the Non-payment of Costs or Expences in any Cause or Proceeding in any Ecclesiastical Court;’ it is hereby declared and enacted, That all such Persons are and shall

shall be intitled to the Benefit of this Act, on and subject to the same Terms and Conditions as are herein expressed and declared with respect to Prisoners for Debt only: 'And whereas great Numbers of poor People have been and are now imprisoned for Debt, upon Processes issuing out of Courts of Conscience;' it is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged under the same, provided he, she, or they, conform to the Directions herein-before prescribed, touching other Prisoners who shall be discharged by virtue of this Act.

are intitled to the Benefit of this Act. Those who are Prisoners upon Process out of Courts of Conscience, to have this Act.

the Benefit of

LV. And be it further enacted by the Authority aforesaid, 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 and false Affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act upon Persons convicted of wilful and corrupt Perjury.

Quaker's Affirmation to be taken in lieu of an Oath.

LVI. Provided always, and be it further enacted by the Authority aforesaid, That no Person who took the Benefit of an Act, passed in the Ninth Year of the Reign of his present Majesty King George the Third (intituled, *An Act for the Relief of Insolvent Debtors*), or of an Act, passed in the twelfth Year of the Reign of his present Majesty King George the Third (intituled, *An Act for the Relief of Insolvent Debtors, and for indemnifying the Marshal of the King's Bench Prison from Prosecutions at Law for certain Escapes from the said Prison*), shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same; any Thing herein-before contained to the contrary notwithstanding.

Persons who took the Benefit of the Act of 9 Geo. 3. excluded.

LVII. Provided also, and it is hereby enacted, That nothing in this Act contained shall extend to that Part of Great Britain called Scotland.

This Act not to extend to Scotland.

LVIII. And whereas Bankrupts who have not obtained their Certificates and Discharge of their Debts, under some one of the Acts relating to Bankrupts, have not been deemed to be within the Meaning of Acts of Insolvency, as such Bankrupts have no Schedules to deliver up according to the Terms and Conditions of such Acts; nevertheless, as many Bankrupts are confined in Prison for Debt only, though they have already delivered up their whole Estates and Effects, or from a Fear of being arrested and thrown into Prison, do abscond from their Homes, and go into Foreign Parts; be it further enacted by the Authority aforesaid, That such Person or Persons against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-eighth Day of April, one thousand seven hundred and seventy-four, who hath or have duly conformed, or shall duly conform him, her, or themselves, to the several Acts of Parliament relating to Bankrupts, and hath not or have not been committed to any Prison by a Warrant of the Commissioners, in such Commission named, for Contumacy or Non-compliance to those Laws, and who now is, or are in Prison for Debt, Damages, Contempt, Costs of Suit, or any Sum or Sums of Money due and accrued previous to such Commission, or who now are secreting themselves in fear of their Creditors, and shall be hereafter sued, arrested, or held to Bail, or shall surrender him, her, or themselves, or be surrendered, in Discharge of his, her, or their Bail, or taken in Execution in any Suit or Action for any such Debt or Debts as aforesaid, shall and may, after the Expiration of thirty Days, apply to any one of the Judges of the Court wherein such Process or Processes hath or have issued, to summon his, her, or their Plaintiff or Plaintiffs, to shew Cause why such Bankrupt or Bankrupts should not be discharged from his, her, or their Imprisonment or Arrest, as aforesaid, such Bankrupt or Bankrupts first making Oath before such Judge (or if at a Distance from such Judge, then before a Justice of the Peace), who is hereby authorized to administer such Oath, that such Debt or Debts did accrue previous to the issuing such Commission; and such Plaintiff or Plaintiffs not appearing, or not proving that such Bankrupt or Bankrupts hath or have concealed any Part of his, her, or their Estate or Effects, or hath or have not duly conformed him, her, or themselves to the Laws now in Force against Bankrupts, such Judge shall and may discharge such Bankrupt or Bankrupts from such Imprisonment or Arrest, as aforesaid; such Bankrupt or Bankrupts causing a common Appearance to be entered for him, her, or them, where necessary, in every such Suit or Action; and if any such Bankrupt or Bankrupts shall be afterwards again sued and arrested, or taken in Execution, or imprisoned in any Suit or Action for such Debt or Debts previous to such Commission as aforesaid, any Judge of the Court wherein such Process issued shall, upon Summons of the proper Party or Parties, immediately discharge such Bankrupt or Bankrupts from such Arrest or Imprisonment; nevertheless such Bankrupt or Bankrupts shall, in all other Respects, be deemed subject to the Laws in Force against Bankrupts; and every Sheriff and Sheriffs, Bailiff and Officer, Gaoler and Keeper of a Prison, is and are hereby required, on proper Notice being given of such Judge's Discharge, to release and set free such Bankrupt or Bankrupts out of his or their Custody, and each and every of them is and are hereby indemnified from any Action or Actions that may be brought, commenced, or prosecuted against him or them for any Escape for or on account thereof.

Class of Relief for Bankrupts who have not obtained Certificates and Discharge of their Debts.

LIX. And whereas many Bankrupts who were included within the Benefit of the late Act of the twelfth Year of his present Majesty's Reign, relating to Bankrupts, have not as yet returned Home, or cannot act in their several Occupations for the Maintainance of themselves and Families, from some certain Circumstances of their Case; be it enacted, That such Person or Persons against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-fifth Day of March, one thousand seven hundred and seventy-two, and who having in all Things conformed themselves to the several Acts now in Force relating to Bankrupts, by their Surrender and Submission thereto, and who have not been committed for any Act of Contumacy or Nonconformity, yet who hath not, or have not, gained a total Discharge from his, her, or their Creditors of his or their Debts under such Commission, shall have Liberty to petition or apply by Motion of Court to the Lord Chancellor, the Lord Keeper, or Lords Commissioners.

Clause with respect to Bankrupts included in the Act 12 Geo. 3.

ers of the Great Seal for the Time being, setting forth any such Grievance or other Circumstances, he, she, or they, may lie under, relative to such Commission; which Petition or Matter the Lord Chancellor, the Lord Keeper, or Lords Commissioners aforesaid, may refer to a Master in Chancery; and upon such Report or Hearing thereof, shall have Power and Authority to direct the Commissioners in the Commission named to certify the Proceedings under such Commission, and shall grant such Order thereupon, for the Discharge or Relief of such Bankrupt or Bankrupts, as to his or their Lordships shall seem proper; any Law or Usage to the contrary notwithstanding.

C A P. LXXVIII.

An Act for the further and better Regulation of Buildings, and Party-walls; and for the more effectually preventing Mischiefs by Fire within the Cities of *London* and *Westminster*, and the Liberties thereof, and other the Parishes, Precincts, and Places, within the Weekly Bills of Mortality, the Parishes of *Saint Mary-le-Bon*, *Paddington*, *Saint Pancras*, and *Saint Luke* at *Chelsea*, in the County of *Middlesex*; and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid contrary to Law.

Preamble.
22 Geo. 3.
c. 73.

WHEREAS an Act of Parliament, made and passed in the twelfth Year of his present Majesty's Reign, intituled, *An Act for the better Regulation of Buildings and Party-walls within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places in the Weekly Bills of Mortality, the Parishes of Saint Mary-le-Bon and Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex, and for the better preventing of Mischiefs by Fire within the said Cities, Liberties, Parishes, Precincts, and Places; and for amending and reducing the Laws relating thereto into one Act, and for other Purposes*, hath been found insufficient to answer the good Purposes intended thereby: And whereas it may tend to the Safety of the Inhabitants, and prevent great Inconveniencies to Builders, and Workmen employed in Buildings, within the said Cities, Liberties, Parishes, Precincts, and Places, if the Regulations contained in the said Act were repealed, and other Regulations and Provisions respecting such Buildings were established by Law: 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 several Churches, Chapels, Meeting-houses, or other Places of Publick Worship, Dwelling-houses, and all other Buildings whatsoever, at any Time heretofore begun or built, or which shall, at any Time hereafter, be begun or built within the said Cities, Liberties, Parishes, Precincts, and Places, on new or old Foundations, or on Foundations partly new and partly old, shall be distinguished by, and divided into, the seven several Rates or Classes of Building herein-after described; and such seven several Rates or Classes of Building shall be under the Rules and Directions herein-after contained concerning the same.

Buildings divided into seven Rates or Classes.

First Rate of Building.

II. And be it further enacted, That every Church, Chapel, Meeting-house, and other Place of Publick Worship; and every House or Building for distilling and brewing of Liquors for Sale; for making of Soap, for melting of Tallow, for dying, for boiling or distilling Turpentine, for casting Brasses or Iron, for refining of Sugar, for making of Glasse for Chymical Works for Sale, of what Dimension soever the same respectively are or may be; and also every Warehouse and other Building whatsoever, not being a Dwelling-house now built, or hereafter to be built (except such Buildings as are herein-after particularly declared to be of the Fifth, Sixth, or Seventh Rate or Class of Building), which does or shall exceed three clear Stories above Ground, exclusive of the Rooms (if any) in the Roof thereof, or which is or shall be of the Height of thirty-one Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof, to the Top of the Blocking-course or the Coping on the Parapet thereof; and every Dwelling-house, now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected otherwise than by a Fence or Fence-wall, or covered Passage, open on one or both Sides, when finished, does or shall exceed the Value of eight hundred and fifty Pounds; and also every Dwelling-house, which does or shall exceed nine Squares of Building on the Ground-floor, each Square containing one hundred superficial Feet, shall be deemed the First Rate or Class of Building.

Thickness of external Walls to the First Rate.

III. And it is hereby further enacted, That every Front, Side, End, or other external Wall (not being a Party-wall), which shall, after the twenty-fourth Day of *June*, in the Year of our Lord one thousand seven hundred and seventy-four, be built to any First Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain, at the Foundation thereof, of the Thickness of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the least; and shall from thence regularly and gradually diminish on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every such Wall, except where any immediate adjoining Building will not admit of such Footing being made on the Side of such Wall next such adjoining Building; in which Case such Footing shall be made as near to the Dimensions herein directed as the Case will admit; which Footing shall be nine Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Wall shall, from the Top of such Footing, be of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, up to the under Side of the one Pair of Stairs Floor; and from thence of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the under Side of the Plate under the Roof or Gutter of every such Building; and from thence of the Thickness of one Brick in Length, or eight Inches and an Half at the least, up to the

the under Side of the Blocking-course or Coping on the Parapet of every such First Rate Building; except such Parts of every such Wall as shall be wholly of Stone, which Parts, so being of Stone, shall be of the Thickness of fourteen Inches at the least below the Ground-floor, and of nine Inches at the least above the Ground-floor; and except all Recesses above the Ground-floor in the said Walls, which shall be arched over in every Story, so nevertheless as that the Arch, and the Back of such Recess, shall be respectively of the Thickness of one Brick in Length, or eight Inches and an Half at the least.

IV. And it is hereby further enacted, That every Party-wall which shall, after the said twenty-fourth Day of June, be built to any First Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain, at the Foundation thereof, of the Thickness of three Bricks and an Half in Length, or two Feet six Inches and an Half at the least; and shall, from thence, regularly and gradually diminish on each Side of the Wall four Inches and an Half to the Top of the Footing of every such Wall, which Footing shall be one Foot high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Party-wall shall, from the Top of such Footing, be of the Thickness of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the least, up to the under Side of the Ground-floor; and from thence of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, up to the under Side of the Floor of the Rooms (if any) in the Roof of the highest Building adjoining to such Party-wall; and from thence of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the Top of every such Party-wall.

Thickness of
Party-walls to
the First Rate

V. And be it further enacted, That every Warehouse, Stable, and other Building, not being a Dwelling-house, except such Buildings as are herein particularly declared to be of the First, Fifth, Sixth, or Seventh Rate or Class of Building, now built, or hereafter to be built, which does or shall exceed two clear Stories, and shall not contain more than three clear Stories above Ground, exclusive of the Rooms (if any) in the Roof thereof, or which is, or shall be, of the Height of twenty-two Feet, and shall not be of the Height of thirty-one Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof, to the Top of the Blocking-course or Coping on the Parapet thereof; and every Dwelling-house now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected, otherwise than by a Fence or Fence-wall, or covered Passage open on one or both Sides, when finished, does or shall exceed the Value of three hundred Pounds, and shall not amount to more than the Value of eight hundred and fifty Pounds; and also every Dwelling-house, which does or shall exceed five Squares of Building on the Ground Plan, and shall not amount to more than nine Squares of Building on the Ground Plan thereof, shall be deemed the Second Rate or Class of Building.

Second Rate.

VI. And it is hereby further enacted, That every Front, Side, or other external Wall (not being a Party-wall), which shall, after the said twenty-fourth Day of June, be built, to any Second Rate Building, or to any Addition thereto, or Enlargement thereof shall be built and remain, at the Foundation thereof, of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, and shall from thence regularly and gradually diminish on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every such Wall, except where any immediate adjoining Building will not admit of such Footing being made on the Side of such Wall next such adjoining Building; in which Case such Footing shall be made as near to the Dimensions herein directed as the Case will admit; which Footing shall be nine Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Wall shall, from the Top of such Footing, be of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the under Side of the one Pair of Stairs Floor; and from thence of the Thickness of one Brick in Length, or eight Inches and an Half at the least, up to the under Side of the Blocking-course or the Coping on the Parapet of every such Second Rate Building; except such Parts of every such Wall, being above the Ground-floor, as shall be wholly of Stone, which Parts, so being of Stone, shall be of the Thickness of nine Inches at the least; and except all Recesses above the Ground-floor in the said Walls, which shall be arched over, so nevertheless as that the Arch, and the Back of each such Recess, shall respectively be of the Thickness of one Brick in Length, or eight Inches and an Half at the least.

Thickness of ex-
ternal Wall to
the Second Rate.

VII. And it is hereby further enacted, That every Party-wall which shall, after the said twenty-fourth Day of June, be built to any Second Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain, at the Foundation thereof, of the Thickness of three Bricks and an Half in Length, or two Feet Six Inches and an Half at the least, and shall from thence regularly and gradually diminish on each Side of the Wall four Inches and an Half to the Top of the Footing of every such Wall; which Footing shall be nine Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Party-wall shall, from the Top of such Footing, be of the Thickness of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the least, up to the under Side of the Ground-floor; and from thence of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, up to the under Side of the Floor of the two Pair of Stairs Story; and from thence of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the Top of every such Party-wall.

Thickness of
Party-walls to
the Second Rate.

VIII. And be it further enacted, That every Warehouse, Stable, and other Building, not being a Dwelling-house, except such Buildings as are herein particularly declared to be of the First, Fifth, Sixth, or Seventh Rate or Class of Building now built, or hereafter to be built, which does or shall exceed one clear Story, and shall not contain more than two clear Stories above Ground, exclusive of the Rooms (if any) in the Roof thereof, or which is or shall be of the Height of more than thirteen Feet, and shall not be of the Height of twenty-two Feet from the Surface of the Pavement, Ground, or Way above the Area before either of the Fronts thereof, to the Top of the Blocking-course or the Coping on the Parapet thereof; and every Dwelling-house now built, or hereafter to be built, which, with the Offices thereto

Third Rate.

belonging,

belonging, and adjoining or connected, otherwise than by a Fence or Fence-wall, or covered Passage open on one or both Sides, when finished, does or shall exceed the Value of one hundred and fifty Pounds, and shall not amount to more than the Value of three hundred Pounds; and also every Dwelling-house, which does or shall exceed three Squares and an Half of Building on the Ground Plan, and shall not amount to more than five Squares of Building on the Ground Plan thereof shall be deemed the Third Rate or Class of Building.

Thickness of external Walls to the Third Rate.

IX. And it is hereby further enacted, That every Front, Side, End, or other external Wall (not being a Party-wall), which shall, after the said twenty-fourth Day of *June*, be built to any Third Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain, at the Foundation thereof, of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, and shall from thence regularly and gradually diminish, on each Side of the Wall, two Inches and a Quarter, to the Top of the Footing of every such Wall, except where any immediate adjoining Building will not admit of such Footing being made on the Side of such Wall next such adjoining Building; in which Case such Footing shall be made as near to the Dimensions herein directed as the Case will admit; which Footing shall be six Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Wall shall, from the Top of such Footing, be of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the under Side of the Ground-floor; and from thence of the Thickness of one Brick in Length, or eight Inches and an Half at the least, up to the under Side of the Blocking-course or Coping, on the Parapet of every such Third Rate Building.

Thickness of Party-walls to the Third Rate.

X. And it is hereby further enacted, That every Party-wall which shall, after the said twenty-fourth Day of *June*, be built to any Third Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain at the Foundation thereof, of the Thickness of three Bricks in Length, or two Feet two Inches at the least, and shall from thence regularly and gradually diminish on each Side of the Wall, four Inches and an Half, to the Top of the Footing of every such Wall, which Footing shall be nine Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Party-wall shall, from the Top of such Footing, be of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, up to the under Side of the Ground-floor, and from thence of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the Top of every such Party-wall.

Fourth Rate.

XI. And be it further enacted, That every Warehouse, Stable, and other Building not being a Dwelling-house, except such Buildings as are herein particularly declared to be of the First, Fifth, Sixth, or Seventh Rate or Class of Building, now built, or hereafter to be built, which does not or shall not exceed one clear Story above Ground, exclusive of the Rooms (if any) in the Roof thereof, or which is not or shall not be of the Height of more than thirteen Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof to the Top of the Blocking-course or Coping on the Parapet thereof; and every Dwelling-house now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected otherwise than by a Fence or Fence-wall, or covered Passage open on one or both Sides, when finished, does not or shall not exceed the Value of one hundred and fifty Pounds; and also every Dwelling-house which does not or shall not exceed three Squares and an Half of Building on the Ground Plan thereof, shall be deemed to be of the Fourth Rate or Class of Building.

Thickness of external Walls to the Fourth Rate.

XII. And it is hereby further enacted, That every Front, Side, End, or other external Wall, which shall, after the said twenty-fourth Day of *June*, be built to any Fourth Rate Building, or to any Addition thereto or Enlargement thereof, shall be built and remain at the Foundation thereof of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, and shall from thence regularly and gradually diminish on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every such Wall, except where any immediate adjoining Building will not admit of such Footing being made on the Side of such Wall next such adjoining Building; in which Case such Footing shall be made as near to the Dimensions herein directed as the Case will admit, which Footing shall be six Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Wall shall, from the Top of such Footing, be of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the under Side of the Ground-floor; and from thence of the Thickness of one Brick in Length, or eight Inches and an Half at the least, up to the under Side of the Blocking-course or Coping on the Parapet of every such Fourth Rate Building.

Thickness of Party-walls to the Fourth Rate.

XIII. And it is hereby further enacted, That every Party-wall, which shall, after the said twenty-fourth Day of *June*, be built to any Fourth Rate Building, or to any Addition thereto, or Enlargement thereof, shall be built and remain at the Foundation thereof of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least; and shall from thence regularly and gradually diminish on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every such Wall; which Footing shall be nine Inches high at the least, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the least; and every such Party-wall shall, from the Top of such Footing, be of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, up to the under Side of the Ground-floor; and from thence of the Thickness of one Brick in Length, or eight Inches and an Half at the least, up to the Top of every such Party-wall.

Party-walls to be between House and House, and other Buildings,

XIV. And it is hereby enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, every House or Building thereafter to be built, and being of the First, Second, Third, or Fourth Rate or Class of Building herein-before directed, and not having each of them a separate and distinct Side-wall on the Part or Parts where they are or shall be contiguous, shall have Party-walls between

House

House and House, or other Buildings, or between so much of such House and House, or other Buildings, as shall not respectively have such separate and distinct Walls as aforesaid: And such Party-walls shall extend to the outer Surfaces of the external Inclosures of each of the adjoining Houses or Buildings: And all Party-walls, and also all Chimneys and Chimney-shafts, hereafter to be built, shall be built wholly of good sound Bricks or Stone, or of good sound Bricks and Stone together, except such Timber, Wood, Lead, or Iron Work, as shall or may be laid therein, according to the Directions herein-after contained, and also except such Piling, Bridging, or Planking, as may be necessary for the Foundation thereof; and every such Party-wall shall be topped or coped with Stone, Tile, or Brick, and shall be of the Dimensions herein-before directed; and one Half of every such Party-wall between House and House, or between other Buildings, shall be built on the Ground or Scite of one of the adjoining Houses or Buildings, and the other Half thereof shall be built on the Ground or Scite of the other of the adjoining Houses or Buildings; and it shall be lawful for the First Builder of any such Party-wall, and for the Workmen employed in building the same, to enter upon the Ground adjoining thereto, in order to the building such Party-wall in Manner aforesaid.

except in such Parts where each have independent Walls.

XV. Provided nevertheless, and it is hereby enacted, That every Party-wall which shall, after the said twenty-fourth Day of June, be built to any Dwelling-house, exceeding four Stories in Height from the Foundation thereof, exclusive of the Rooms (if any) in the Roof of either of the Buildings adjoining thereto, shall be built in every Particular according to the Directions herein-before contained with respect to the Party-walls of the First Rate or Class of Building, notwithstanding such House shall not be of the First Rate or Class of Building; and every Party-wall which shall, after the Time aforesaid, be built to any Dwelling-house containing four Stories in Height from the Foundation thereof, exclusive of the Rooms (if any) in the Roof of either of the Buildings adjoining thereto, shall be built in every Particular according to the Directions herein-before contained with respect to Party-walls of the Third Rate or Class of Building, notwithstanding such House shall be of the Fourth Rate or Class of Building only.

All Party-walls above four Stories high to be built as of the First Rate.

Party walls to Fourth Rate Houses, being four Stories high, to be built as of the Third Rate. Materials of Divisions of different Possessions in the First, Second, Third, and Fourth Rates.

XVI. And it is hereby further enacted, That every internal Inclosure to be made, after the said twenty-fourth Day of June, for separating any Building of the First, Second, Third, or Fourth Rate or Class of Building, from any other Building where such Buildings shall be in separate Occupations, and every Addition or Enlargement to such internal Inclosure, shall be of Brick or Stone, or artificial Stone or Stucco, or of Brick and Stone, or artificial Stone or Stucco together; except such Timber, Wood, Lead, or Iron Work, as may be laid therein, according to the Directions herein-after contained for external Inclosures to such First, Second, Third, or Fourth Rate or Class of Building, and also except such Piling, Bridging, or Planking, as may be necessary for the Foundation of the same.

XVII. And it is hereby enacted by the Authority aforesaid, That in valuing the several Buildings herein-before declared to be of the First, Second, Third, or Fourth Rate or Class of Building, for the Purpose of ascertaining the Rate thereof, such Valuation to be made by the Surveyor or Surveyors to be appointed pursuant to this Act, for the District in which the Building is or may be situated, by as true a Measure and Estimation as the Nature of the Case will admit; and every such Building shall, notwithstanding any Decay therein, be estimated and valued as if the Materials whereof the same consist were sound, and the Work thereof new; and every such Building shall be estimated and valued at the several Prices the like Materials and Workmanship shall be worth at the Time such Valuation shall be made; but neither the Soil whereon any such Building stands, nor any Fence or Fence-wall (except the Railing to Areas, and Steps before or behind such Building, made for the Purpose of inclosing the said Building, with the Offices, Yard, or Appurtenances thereto belonging from any neighbouring Ground), nor any Brick or Stone arched Vault or Vaults, under the Surface of the Ground, either before or behind such Building, nor any Lead, Covering, or Pavements, over such Vaults, nor such Parts of the Party-wall or Party-walls to such Building as stand upon Ground not belonging to such House, shall be included in any such Valuation; and in ascertaining the Squares of Building contained in every such Building, being a Dwelling-house, the same shall be taken by the Surveyor or Surveyors as aforesaid on the Level of the Floor, at the principal Entrance to such Dwelling-house, and no more than such Parts of the Party-walls as belong to such Dwelling-house shall be included in such Admeasurement: And in case the Owner, or any other Person interested in such Building, shall apprehend him or herself to be injured by the Admeasurement or Valuation made by such Surveyor or Surveyors as aforesaid, it shall be lawful for such Owner or other Person to apply to the Mayor, or any two Justices of the Peace for the City of London, if such Building, or any Part thereof, is situated within the said City, or otherwise to any two Justices within whose Jurisdiction the same is situated; and the said Mayor or Justices shall enquire into the Matter, and shall, by his or their Order, declare such Building to be of such Rate or Class as the same shall to him or them appear to be of, according to the Description of the several Rates or Classes herein-before contained; and it shall be lawful for any of the Parties between whom such Order shall be made to appeal to the Justices of the Peace at their General Quarter Sessions of the Peace, whose Order and Determination shall be binding and conclusive to all Parties.

Method of ascertaining the Rates.

Squares taken at the level of the Entrance.

XVIII. And be it further enacted, That every Dwelling-house, Warehouse, Stable, and other Building (except such Buildings, not being Dwelling-houses, as are herein-before particularly declared to be of the First or Seventh Rate or Class of Building), which is or shall be at the Distance of four Feet, and not eight Feet, from any publick Road, Street, or Causeway, and is, or shall be, detached from any other Building not in the same Possession therewith sixteen Feet at the least, and not thirty Feet, or connected with any other Building only by a Fence or Fence-wall, shall be deemed to be of the fifth Rate or Class of Building, and shall and may be built of any Dimensions whatever.

Fifth Rate of Building.

XIX. And be it further enacted, That every Dwelling-house, Warehouse, Stable, and other Building (except such Buildings, not being Dwelling-houses, as are herein-before particularly declared to be of the First Rate or Class of Building), which is or shall be at the Distance of eight Feet from any publick

Sixth Rate of Building.

lick Road, Street, or Causeway, and is, or shall be detached from any other Building not in the same Possession therewith at least thirty Feet, or connected with any other Building only by a Fence or Fence-wall, shall be deemed to be of the sixth Rate or Class of Building, and shall and may be built of any Dimensions, and with any Materials whatever.

Seventh Rate of Building.

XX. And be it further enacted, That every Cranehouse, now built, or hereafter to be built, on any Wharf or Quay, and every Shamble, Windmill or Watermill, and also every Building which is or shall be situated without the Cities of *London* and *Westminster*, and the Liberties thereof, used for Workshops or Drying-places for Tanners, Fell-mongers, Glue-makers, Size-makers, Callico-printers, Whitsters, Whiting makers, Curriers, Leather-dressers, Buckram-stiffners, Oil-cloth Painters, Wool-staplers, Throwsters, Parchment-makers, and Paper-makers, so long and at such Times as they are or shall be used for some or one of those Purposes, and no longer, shall be deemed the Seventh Rate or Class of Building, and may be built of any Dimensions whatever.

Materials of Cranehouses.

XXI. And it is hereby further enacted, That every such Cranehouse which shall be erected and built after the said twenty-fourth Day of *June*, and every Addition or Enlargement to any Cranehouse already built, or hereafter to be built, and every new Side, new End, or other new external Inclosure which shall, after the said twenty-fourth Day of *June*, be made to any such Cranehouse, or to any Addition or Enlargement thereof, shall be of Stone, Brick, Slate, Tile, Oak, Elm, Steel, Iron, or Brass; but every other Building of the Seventh Rate or Class of Building, may be erected of any Materials whatever; and no Cranehouse or other Building of the Seventh Rate or Class of Building, or any external Part thereof, shall, after the said twenty-fourth Day of *June*, be covered with Pitch, Tar, or any other inflammable Composition or Material whatever, nor shall, after the said twenty-fourth Day of *June*, be converted to any other Use than as aforesaid.

No Seventh Rate Building to be covered with Pitch, Tar, &c.

Detached Offices deemed of the same Rate as if independent of any other Building.

XXII. And, in order to prevent Doubts which may arise concerning the Rate or Class of Building of any Office or Offices now built, or hereafter to be built, belonging to any Building herein-before declared to be of the First, Second, Third, or Fourth Rate or Class of Building, it is hereby further enacted and declared, That every such Office which shall be entirely free and detached from such Building to which the same belongs, or shall be connected therewith only by a Fence or Fence-wall, or covered Passage open on one or both Sides, shall be deemed to be of the Rate or Class of Building such Office would be of, if the same did not appertain to any Dwelling-house or other Building.

How long old found Party-walls may remain.

XXIII. And whereas some Houses or other Buildings erected, or begun to be erected, before the said twenty-fourth Day of *June*, may have one or more good found Party-wall or Party-walls, although not built agreeable to the several Rules herein-before directed to be observed concerning Party-walls to be built after the said twenty-fourth Day of *June*, and in such Case it may happen that one of the adjoining Houses may have been or may hereafter be rebuilt, without making use of such Party-wall or Party-walls, it is therefore hereby enacted, That every such Wall may remain as a Party-wall until both the Houses or Buildings to which the same belongs, or the remaining House or Building, where one has been already rebuilt, shall be rebuilt (if such Wall shall so long continue found), and no longer: And that in case either of the Houses or Buildings to which any such Party-wall does belong has been or shall hereafter be rebuilt with a Wall against such Party-wall (without making use of such Party-wall) of the Heights and Thicknesses herein-before prescribed for Side-walls, the Proprietor of such remaining House or Building shall not, when such remaining House or Building, or when such old Party-wall shall be taken down, be intitled to more than one Half of the Materials of such old Party-wall, nor to more than one Half of the Ground on which such old Party-wall was erected; nor shall such Proprietor build on more than one Half of the said Ground, unless he shall have agreed with and satisfied the Owner or Owners of such adjoining rebuilt House for the other Half thereof; and in case the Parties cannot agree concerning the same, and both or either of them shall be desirous of buying or selling, the Price, and the Matters in Difference, shall be settled by a Jury, to be summoned, returned, and impanelled as hereafter is mentioned concerning mixed Property: But if such remaining House or Building be of the First, Second, or Third Rate or Class of Building, or be four Stories high from the Foundation thereof, exclusive of the Rooms (if any) in the Roof thereof, and if in that Case such old Party-wall shall not be of the Thickness of two Bricks in Length, or one Foot five Inches and an Half at the least, from the Foundation thereof to the under Side of the Ground-floor, and from thence upwards to the Top thereof of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least; then such old Party-wall shall, when either of the Houses or Buildings to which the same belongs shall be rebuilt, be considered as if the same had been condemned, or adjudged ruinous, pursuant to the Directions herein-after contained for condemning or adjudging ruinous any unbound Party-wall; or if such old Party-wall shall have any Timber or Timbers of any adjoining Building lying through the same, and if, when either of the Houses or Buildings to which the same belongs shall be rebuilt, the Owner or Owners of such adjoining or remaining House or Building will not permit so much of such Timber to be cut off as shall leave full six Inches of clear Brick Work beyond the End of every such Timber, then every such Wall shall be considered as if the same had been condemned, or adjudged ruinous, pursuant to this Act, and the same shall be taken down and rebuilt, in such Manner as is herein-after directed concerning Party-walls which shall be so condemned, or adjudged ruinous.

Where one adjoining built with independent Walls,

the Owner of the other to have but Half the Materials, and Half the Scite of the old Party-wall when pulled down.

Party-walls not being of sufficient Thickness to be taken down, when one of the Houses is rebuilt.

Ends of Timbers lying through old Party walls to be cut off when one Building is rebuilt.

Timber Partitions to be taken down when one House or one Front is rebuilt.

XXIV. And whereas some Houses or other Buildings erected, or begun to be erected before the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, may have one or more good and sound Timber Partition or Timber Partitions between the same and the adjoining House or Building, it is hereby enacted, That every such Timber Partition may remain until one of the adjoining Houses or Buildings to which the same belongs shall be rebuilt, or shall have one of the Fronts which shall abutt on such Timber Partition, or two-third Parts of one of such Fronts, taken down to the Bressummer or one Pair of Stairs Floor, and rebuilt, or until such Timber Partition shall be condemned, pursuant to

the Directions herein-after contained, concerning ruinous or defective Party-walls and Party-partitions, and no longer.

'XXV. And, as a further Security against Fire,' it is hereby enacted, That no Wall or Walls of any Building of the First, Second, Third, or Fourth Rate or Clafs of Building, already erected or built, or hereafter to be erected or built, or of any Addition or Enlargement made or to be made to any Building of fuch First, Second, Third, or Fourth Rate or Clafs of Building, which shall not be a Party-wall on the said twenty-fourth Day of *June*, shall ever be or become a Party-wall, unless the same shall be and remain of the Heights and Thickneses above the Footings, and of the Materials herein-before directed concerning Party-walls to be erected after the Time aforesaid.

External Walls shall not become Party-wall.

'XXVI. And, as a greater Security from Fire,' it is hereby further enacted, That every Party-wall which shall be built after the said twenty-fourth Day of *June*, and every Addition or Enlargement which shall be thereafter made to any Party-wall then built, or thereafter to be built, shall be carried up, and remain, one Foot six Inches at the least above the Roof of the highest Building which shall gable against, or adjoin to, such Party-wall, in every Part of such Party-wall where such Building shall gable or adjoin thereto, measuring at a Right Angle with the Back of the Rafters of such Roof; and every such Party-wall shall be carried up and remain one Foot at the least above the Gutters of the highest of such Buildings, except the Height of such Party-wall, where so carried up, shall exceed the Height of the Blocking-course or Parapet of either of the Fronts abutting on the same of the highest Building adjoining thereto, in which Case, the End only of every such Party-wall next such Blocking-course or Parapet may be less than one Foot above the Gutter, for the Distance of two Feet six Inches from the Front of such Blocking-course or Parapet; and in case any Dormer or other Erektion is or shall be fixed in the Flat or Roof of any Building, within four Feet of any Party-wall, then every such Party-wall shall be carried up against every such Dormer or other Erektion, and shall extend for the Breadth of at least two Feet wider, and to the full Height of every Part of every such Dormer or other Erektion as shall be within four Feet of such Party-wall: And no Recesses shall be made in any Party-wall hereafter to be built to any Building of the First, Second, Third, or Fourth Rate or Clafs of Building (except for Chimnies, Flues, Girders, and Beams, and other Timbers, and for the Ends of Walls or Piers, as herein-after is directed), so as to reduce such Wall in any Part thereof under the Thickness by this Act required for the Party-wall to the highest Rate or Clafs of Building to which such Party-wall belongs: And there shall not be any Opening whatever, after the said twenty-fourth Day of *June*, made in any Party-wall, except for Communication from one Stack of Warehouses to another, and from one Stable Building to another; all which Communications shall have thereto iron Doors, in such Manner as is herein-after directed; and also except such Passages or Ways on the Ground for foot Passengers, Cattle, or Carriages as may be necessary; all which Passages or Ways shall be arched over with Brick or Stone, or Brick and Stone together throughout, of the Thickness of thirteen Inches at the least in every Building of the First and Second Rate or Clafs of Building, and of the Thickness of eight Inches and an Half at the least in every Building of the Third or Fourth Rate or Clafs of Building: And if there be any Cellar or Vacuity under any such Passage, every such Cellar or Vacuity shall be arched over throughout with Brick or Stone, or Brick and Stone together, in the same Manner as the Passage or Way over such Cellar or Vacuity is hereby directed to be arched.

Party-walls to be one Foot six Inches above any Building which shall gable against them.

What Recesses may be in Party-walls.

What Openings may be in Party-walls.

'XXVII. And it is hereby further enacted, That no Timbers shall, at any Time, after the said twenty-fourth Day of *June*, be laid into any Party-arch, except for Bond to the same, nor into any Party-wall, other than such Templets, Chains, and Bond-timbers, as shall be necessary for the same; and other than the Ends of Girders, Beams, Purlings, and of binding or trimming Joists, or of other principal Timbers; all which Timbers shall have at least eight Inches and an Half of solid Brickwork between the Ends and Sides of every such Piece of Timber and the Timber of any Building adjoining thereto; and the End of every Girder, Beam, Purling, Binding, or trimming Joist, and of every other Piece of principal Timber, may be laid beyond the Centre of any Party-wall hereafter to be built, so nevertheless as that there be left eight Inches and an Half at the least of solid Brick or Stone Work at the End of every such Piece of Timber, except in Places where any Part of the Ends of any such Timber shall lie opposite to and level with any Part of the Ends of any Timber of any adjoining Building or Buildings, in which Case, no Part of such Timbers shall approach nearer than four Inches to the Centre of the said Wall.

How Ends of Beams may be laid into Party-walls.

'XXVIII. And it is hereby further enacted, That no Person shall cut or maim any Party-arch, nor the Shaft of any Chimney now built, or hereafter to be built, on any Party-wall, for any Purpose whatsoever; and that no Person shall cut or maim any Party-wall now built, or hereafter to be built, other than for the Purposes and in the Manner herein-after mentioned; that is to say, When the Front or Back Wall of any House or Building, being in a Line with the Front or Back Wall of the House or Building adjoining thereto, shall at any Time hereafter be built, it shall be lawful to cut a Break not more than nine Inches deep from the external Face of such Front or Back Wall and to the Centre of such Party-wall, for the Purpose of inserting therein the End of such new Front or Back Wall; and in every such Case where a Bressummer and Story-posts shall be fixed in the Ground Story of such new Front or Back Wall, such Break may be cut from the Foundation of such new Front or Back Wall to the Top of such Bressummer, fourteen Inches deep from the external Face of such Front or Back Wall, and the same may be four Inches wide in the Cellar Story, and two Inches wide in the Ground Story, for the Purpose of placing therein such Story-posts and Bressummers, agreeable to the Directions of this Act: And it shall be lawful to cut into any Party-wall for the Purpose of tailing in Stone Steps, or Stone Landings, or for placing in such Party-wall Timber for Bearers to Wood Stairs, so as no Timber Bearer be laid into any Party-wall nearer than eight Inches and an Half to any Chimney or Flue whatever, or to any Timber of the adjoining House or Building, or nearer than four Inches to the internal Finishing of such adjoining House or Building, and for the Purpose of laying therein Stone Corbels for the Support of Chimney Jambs, Girders, Beams, Purlings, Binding or Trimming Joists, or of other principal Timbers; and it shall also be lawful to cut perpendicular

Party arches and Party-walls not to be maimed: For what Uses Party-walls may be cut into.

Recesses

Recesses into any Party-wall, not being less than thirteen Inches thick, for the Purpose of inserting Walls and Piers therein, so nevertheless as that no such Recess be more than fifteen Inches wide, or more than four Inches deep, and that no such Recess be nearer than ten Feet to any other Recess; and it shall be lawful to cut off the Footing on the Side of any Party-wall where either of the adjoining Buildings shall be rebuilt with a Wall against such Party-wall; but every Person who shall cut into any Party-wall for any of the Purposes aforesaid, shall immediately make good, and well effectually pinn up, with Brick, Stone, Slate, Tile, Shell, or Iron, bedded in Mortar, every Defect which shall be occasioned by the Cutting of any such Party-wall: And no Party-wall shall be cut for any of the Purposes aforesaid, if the cutting thereof will injure, displace, or endanger the Timbers, Chimnies, Flues, or internal Finishings of the adjoining Buildings.

Thickness of Back of Chimnies in Party-walls.
How Chimnies may be built Back to Back in Party-walls.

How Flues may be built Back to Back in Party-walls.
Thickness of Breasts of Flues and Withs.

Chimnies to be pargetted.

Chimney jambs Breasts, &c. to be placed in Party-walls where desired by Owner of adjoining Ground.

Regulation of Party-walls, &c. between intermixed Property.

XXIX. And it is hereby further enacted, That the Back of every Chimney in every Party-wall which shall, after the said twenty-fourth Day of *June*, be built, shall be at least thirteen Inches thick in the Cellar Story, and eight Inches and an Half thick in every other Story from the Hearth of every such Chimney to the Height of twelve Inches above the Mantle in every such Chimney; and that no Chimney which shall, after the said twenty-fourth Day of *June*, be built in any Party-wall where either of the Buildings adjoining thereto is of the First Rate or Class of Building, shall be built with the Back thereof against the Back of any other Chimney, unless the Back of each Chimney in the Cellar Story be at least eight Inches and an Half, and the Back of each Chimney in any of the upper Stories be at least four Inches and a Quarter from the Centre of such Party-wall: And that no Chimney which shall, after the said twenty-fourth Day of *June*, be built in any Party-wall, where either of the Buildings adjoining thereto is of the Second, Third, or Fourth Rate or Class of Building, shall be built with the Back thereof against the Back of any other Chimney, unless the Back of each Chimney in the Cellar Story be at least six Inches and an Half, and the Back of each Chimney in any of the upper Stories be at least four Inches and a Quarter from the Centre of such Wall: And that no Flue shall be built opposite to another Flue in any Party-wall, unless the Back of each Flue be at least two Inches from the Centre of such Party-wall: The Breast of every Flue which shall, after the said twenty-fourth Day of *June*, be built, whether such Flue be in a Party-wall or not, shall be of Brick or Stone at least eight Inches and an Half thick in every Cellar Story, and at least four Inches thick in every other Story: All the Withs or Partitions between any Flues which shall, after the said twenty-fourth Day of *June*, be built, shall be of Brick or Stone, and every such With or Partition of Brick shall be at least Half a Brick thick: And every Breast and Back of every Chimney, and every Breast, Back, and With or Partition of any Flue hereafter to be built, shall be rendered or pargetted within and without, except the Outside thereof which shall be next to vacant Ground, in which Case, the Back of every Chimney and Flue next such vacant Ground shall be by Lime, or in some durable Manner, marked and distinguished, except in a Fore-front, Back-front, or Side-front of any Building not likely hereafter to be built against; and every Back of every such Chimney and Flue so being against such vacant Ground shall be rendered or pargetted as soon as any Building shall be erected to such Wall.

XXX. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, being possessed of, or intitled unto, any Part of the Ground whereon a Party-wall is intended to be built, shall be desirous of having Chimney-jambs, Breasts, and Flues of Chimnies, made in any such Party-wall on his, her, or their Part thereof, or shall be desirous of having a Recess or Recesses left in the said Party-wall, of the several Breadths and Depths in and by this Act allowed to be left or cut into any Party-wall, for the Purpose of inserting therein external or internal Walls or Piers, or for any other Purpose allowed by this Act, and of such Desire shall give Notice in Writing under his, her, or their Hands, particularly describing every such Chimney-jamb, Breast, and Flue, and every such Recess, to the Builder or Builders of such Party-wall, or any one of them, at any Time before such Party-wall shall be begun to be built; then such Builder or Builders of such Party-wall shall, after such Notice so given, erect, in a proper, substantial, and workmanlike Manner, such and so many Chimney-jambs, Breasts, and Flues of Chimnies, in all such Parts of every such Party-wall as shall be, by the Person or Persons giving such Notice, required; and shall also leave such Recesses in every such Party-wall, not being in any Respect contrary to the Rules, Regulations, and Restrictions, in and by this Act prescribed: And, from and after the erecting such Jambs, Breasts, and Flues of Chimnies, so required, the Person or Persons giving such Notice, his, her, or their Executors and Administrators, shall be deemed to have made use of such Party-wall, and shall from thenceforth be liable to pay the whole Expence of erecting and setting up all such Jambs, Breasts, and Flues of Chimnies, erected in pursuance of such Notice, and also such proportional Part of the Expence of erecting such Wall, as is herein-after directed concerning Party-walls to be built after the said twenty-fourth Day of *June*, to be recovered in case of Non-payment with full Costs of Suit, in like Manner as any Proportion of any Party-wall is by this Act made recoverable by the Builder thereof, from any other Person liable to contribute thereto.

XXXI. And whereas several Houses and other Buildings, within the Limits aforesaid, are built in some Part thereof over a publick Way, and in several Houses or other Buildings, within the Limits aforesaid, several of the Rooms or Floors of such Houses or Buildings are the Property of different Owners, and lie intermixed without being separated by any Party-wall, and without being arched over and under each other with Brick or Stone, or Brick and Stone throughout; be it therefore enacted, That when any House or other Building, except as herein-after is excepted, so built, in any Part thereof, over a publick Way, or any House or Building, except as herein-after is excepted, having any Rooms the Property of different Persons, and intermixed as aforesaid, shall be rebuilt, there shall be a Party-wall, according to the Directions herein-before contained for the highest Rate or Class of Building adjoining thereto, with a Party-arch or Party-arches of the Thickness of one Brick and an Half in Length, or thirteen Inches at the least, in every Building of the First and Second Rate or Class of Building, and of the Thickness of one Brick in Length, or eight Inches and an Half at the least, in every Building of the Third and Fourth Rate

or

or Class of Building, between House and House, or other Building, or between the different Rooms or Floors, so being the Property of different Persons as aforesaid.

XXXII. Provided nevertheless, That the last-mentioned Clause or Provision relating to Houses and Buildings in Part over publick Ways, or having the Rooms or Floors the Property of different Persons, shall not extend to all or any of the Rooms or Chambers in *Serjeant's Inn* in *Chancery Lane*, or in any of the four Inns of Court, or to any of the Inns of Chancery, or any other Inns set apart for the Study or Practice of the Law; save and except that the Walls or Divisions between the several Rooms and Chambers in such Inns, belonging to and communicating with each separate and distinct Stair-case, shall be deemed and taken to be Party-walls within this Act, and shall be subject to all and every the Regulations and Clauses herein contained relating to other Party-walls within the Limits aforesaid.

Party-walls not to extend to Inns of Court, &c.

XXXIII. And whereas it may sometimes happen that no Party-wall or Party-arch can be built upon proper Foundations between such Houses and other Buildings, over publick Ways, or having Rooms or Floors the Property of different Persons, lying intermixed, as aforesaid, without pulling down such Houses or Buildings, and laying Parts of each to the others of such Houses or Buildings; and it may happen that the Parties interested therein, or some or one of them, will not, or cannot, by reason of some legal Disability, or otherwise, join in building such Party-wall or Party-arches, as aforesaid, or in pulling down such Houses, and laying Parts of each to the other or others of such Houses; in all which Cases, Differences may arise amongst the said several Owners, and the rebuilding the same, and the said Party-walls or Party-arches thereof, may be thereby prevented or delayed, to the great Injury or Inconvenience of such of the Owners as are desirous of rebuilding: For Remedy thereof, and in order to prevent the fatal Effects of Fire, be it enacted by the Authority aforesaid, That, in all and every or any of such Cases, when any Owner or Owners of any such House or other Building within the Limits aforesaid, built over any publick Way, or intermixed as aforesaid, shall be desirous of rebuilding such House or other Building, and the Owner or Owners of the adjoining House or Building, or of the other Parts of such intermixed House or Building, shall not be willing, or shall not, by reason of some legal Disability, or otherwise, be able to join in such rebuilding, then the Party or Parties, so desirous of rebuilding, shall give Notice, in Writing, to the Owner or Owners of such adjoining House or Houses, or other Buildings, or of the other Parts of such intermixed House or Building, that he, she, or they, so intending to rebuild, will apply to the Court of Mayor and Aldermen of the City of London when such House or other Building, or any Part thereof, is situated within the said City or the Liberties thereof, or to the Justices of the Peace for the County of *Middlesex*, or for the County of *Surrey*, or for the City and Liberty of *Westminster*, or for the Liberty of the *Tower of London*, respectively, within whose Jurisdiction such House or other Building, or any Part thereof, is situated, in their respective General or Quarter Sessions of the Peace, to be next holden, after fourteen Days from the Delivery of such Notice, in order to obtain the Judgment and Determination of the said Court of Mayor and Aldermen, or of the said Court of Sessions (as the Case may be), touching the rebuilding such House or Houses, or other Buildings, or such Party-walls or Party-arches, to be described in such Notice, and for ascertaining the Scite of a Party-wall or Party-walls, or the Situation of any Party-arches to be built according to the Directions and Restrictions in this Act contained, by delivering a true Copy of such Notice to the Owner or Owners of such adjoining House or Houses, or other Buildings, or of the other Parts of such intermixed House or Building; or in case such Owner or Owners shall be under the Disability of Coverture, Infancy, Idiocy, or Lunacy, then to the Husband or Husbands of such Owner or Owners under Coverture, or to the Guardians, Trustees, or Committees of such Owners being under the Disability of Infancy, Idiocy, or Lunacy respectively, or by leaving the same at his, her, or their last or usual Place of Abode, or by delivering a true Copy of such Notice to the Tenant in Possession of such adjoining House or Houses or other Buildings, or of the other Parts of such intermixed House or Building; or in case such House or Building shall be uninhabited, then by fixing such Copy, wrote fair and in a legible Hand, to or upon the Door or some other notorious Part of such adjoining or intermixed House or other Building which shall be uninhabited; and in every such Case, it shall and may be lawful to and for the said Court of Mayor and Aldermen, and to and for the said Court of Sessions respectively (as the Case may be), and they are hereby respectively authorised and required, upon Application to them by the Party or Parties so desirous to rebuild, and upon such Proof of such Notice as they shall deem reasonable, to issue their Warrant or Warrants, Precept or Precepts, to the Sheriffs of *London*, or to the Sheriff of the said County of *Middlesex*, or Sheriff of the said County of *Surrey*, or Sheriff or Bailiff of the Liberty of his Majesty's *Tower of London* (as the Case may be), requiring them or him respectively to impanel and return a competent Number of substantial and disinterested Persons, qualified to serve on Juries, within the respective Distances to which they are summoned, not less than twenty-four, nor more than thirty-six; and out of such Persons so to be impanelled, summoned, and returned, a Jury of twelve Persons shall be drawn by some Person, by the said Court of Mayor and Aldermen, or Court of Sessions respectively appointed, in such Manner as Juries are directed to be drawn for the Trial of Issues joined in his Majesty's Courts of Record at *Westminster*, by an Act, made in the third Year of the Reign of his late Majesty King *George the Second* (intituled, *An Act for the better Regulation of Juries*); which Persons so to be impanelled, summoned, and returned, are hereby required to come and appear before the said Court of Mayor and Aldermen, or before the said Court of Sessions for the said County of *Middlesex*, or County of *Surrey*, or City and Liberty of *Westminster*, or the Liberty of his Majesty's *Tower of London* (as the Case may be), at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be appointed, and there to attend from Day to Day, until discharged by the Court; and all Parties concerned shall and may have their lawful Challenges against any of the said Jury, but shall not be at Liberty to challenge the Array; and the said Court of Mayor and Aldermen, and any of the said Courts of Sessions, for the said County of *Middlesex*, or *Surrey*, or City and Liberty of *Westminster*, or Liberty of the *Tower of London*, is and are hereby authorised and empowered, by Precept or Precepts, from Time to Time, as Occasion may require,

Owners may be compelled to join in building Party-walls, &c.

Where Owners are under Disabilities, or Houses are uninhabited, how Differences are to be settled respecting the building of Party-walls.

to call before them respectively all and every Person and Persons who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on Oath, concerning the Premises; and either of the said Courts, if they think fit, shall and may likewise authorise the said Jury to view the Place or Places in question, in such Manner as they shall direct, and shall have Power to command such Jury, and all such Witnesses and Parties as shall be necessary or proper to attend, until all such Affairs for which they are summoned shall be concluded; and the said Jury, upon their Oaths (which Oaths, as also the Oaths to Persons called upon to give Evidence, the said Courts are hereby respectively impowered and required to administer), shall inquire and try, and determine by their Verdict, whether the Premises, in any of the Cases aforesaid, ought to be rebuilt or not; and if the same ought to be rebuilt, shall award and determine the Scite of a Party-wall or Party-walls, and also what Party-arches may be necessary over or under any Rooms of such House or Houses, or other Buildings, so intended to be rebuilt, or shall ascertain the Quantity of the Soil or Ground or other Parts of the Premises (if any) necessary to be laid to or taken from the House of the Person or Persons desirous to rebuild, permitting such Person or Persons to erect a Party-wall or Party-walls, Party-arch or Party-arches; and shall ascertain and award what (if any) Compensation should be made, and paid, by either or any of the said Parties in Difference to the other or others of them, in lieu of the lessening either of the said Houses or other Buildings by such Party-wall or Party-walls, Party-arch or Party-arches, or as a Satisfaction for such other Injury (if any) as shall be done, or occasioned thereby to any or either of the said Parties; and shall also ascertain and award what Proportion of the Expence of Building such Party-wall or Party-walls, Party-arch or Party-arches, shall, when the same are so built, be repaid by either or any of the Parties in Difference to the Person or Persons so rebuilding as aforesaid: And the said Court of Mayor and Aldermen, and the said Court of Sessions respectively, shall give Judgment according to such Verdict, as well for determining the Scite of such intended Party-wall or Party-walls, Party-arch or Party-arches, as also for such Sum or Sums of Money (if any) so assessed by the said Jury, and likewise for such Proportion of the Expence of building such Party-wall or Party-walls, Party-arch or Party-arches, so found or awarded by the said Jury, to be repaid to the Person or Persons who shall rebuild or shall have rebuilt the same; and shall and may (if they see fit) award to either of the Parties such Costs as they shall deem reasonable; which Verdict or Verdicts, and the Judgment, Order, or Determination thereupon, shall be binding and conclusive against all and every Person and Persons, Bodies Politick and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest in, to, or out of the said Premises, or any Part thereof, either in Possession, Reversion, Remainder, or Expectancy, as also against the King's most Excellent Majesty, his Heirs and Successors, and against Infants and Issue unborn, Persons in Reversion or Remainder, Lunaticks, Idiots, and Females-covert, and Persons under any other legal Incapacity or Disability, and against all Trustees and Cestuique Trusts, his, her, and their Successors, Heirs, Executors, and Administrators, and against all other Persons whomsoever: And all and every the said Verdicts, Judgments, Orders, and Determinations, and all other Proceedings of the said Court of Mayor and Aldermen, and Court of Sessions, so to be made, given, and pronounced, as aforesaid, shall be, by the Town Clerk of the City of London, or by the Clerk of the Peace for the said County of Middlesex or Surrey, or the City and Liberty of Westminster, or the proper Officer of the Liberty of the said Tower of London (as the Case may be), entered and filed as of Record of the said Court where such Proceedings shall have been had (for the Entry and Filing whereof, and for every Order of Court, and Copy thereof, the said Town Clerk, or Clerk of the Peace, or other proper Officer, shall be paid after the Rate of Twelve-pence for every one hundred Words, and no more); and each of them, the said Town Clerk, and Clerk of the Peace, or other proper Officer respectively, is hereby empowered and required to make and deliver to any Person requiring the same, an Exemplification, under his Hand and Seal, of any such Verdict, Judgment, Order, and Determination, being paid for the same after the Rate of Twelve-pence for every one hundred Words; and every such Exemplification shall and may be taken and read as Evidence in all Courts of Law and Equity whatever: And after the Expiration of fourteen Days from and after the obtaining such Judgment, and Payment, or Tender, in Manner herein-after directed, of the Sum or Sums of Money (if any) thereby assessed or awarded, or, where no Sum of Money shall be so assessed or awarded, after the Expiration of fourteen Days from and after the obtaining such Judgment, the Person or Persons who shall have applied for, and obtained such Judgment, his, her, or their Heirs, Executors, or Administrators, Servants, or Workmen, shall and may pull down his, her, or their own House or other Building, and rebuild the same, in the Manner so ascertained by such Judgment; and to that End shall and may, in the Presence of a Constable or Headborough, or other Officer of the Peace, after the End of fourteen Days after such Judgment, Order, and Determination, shall have been obtained, enter upon the Scite of the Ground so ascertained for a Party-wall or Party-walls, Party-arch or Party-arches, and into the House or other Building (if any be) adjoining to the House or Party-wall or Party-walls, Party-arch or Party-arches, intended to be rebuilt, at any Time between the Hours of Six in the Morning and Seven in the Afternoon (Sundays excepted); and if the outer Door of such House or other Building be shut, and the Occupier, or any other Person therein, refuse to open the same, being thereunto required, or if such House or other Building be empty and unoccupied, shall and may break open such outer Door, and remove to some other Part of the same Premises, or in case there be no Room on the Premises sufficient for that Purpose, to remove to any other Place, any Goods, Furniture, Shelves, or other Thing obstructing the building of such intended Party-wall or Party-walls, Party-arch or Party-arches, or the pulling down any Wall, Partition, or other Thing necessary to be pulled down and removed, in order to the building such intended Party-wall or Party-walls, Party-arch or Party-arches; and from and after such Entry as aforesaid, and at all usual Times of working, it shall be lawful for the Builder or Builders employed to erect such intended Party-wall or Party-walls, Party-arch or Party-arches, and his and their Servants, and all others employed by him or them, to enter into and upon the Premises, and abide therein the usual Times of working, for the shoring up the said House or other Building so broke into or entered upon, and for taking down and removing any Party-

Jury to determine what Proportion of Expence shall be paid by the Owners of the adjoining Premises.

Court to give Judgment according to Verdict;

and Judgment to be binding.

Verdict, &c. to be recorded by Town Clerk or Clerk of the Peace.

Within fourteen Days after Judgment, and Payment or Tender of the Money awarded the Owner of the intermixed House may pull it down; and also may enter the adjoining Building in the Presence of a Peace Officer;

and may remove Goods and Furniture.

Party-wall or Party-walls, Partition, Wainscot, or other Thing necessary to be taken down and removed for the Purpose aforesaid; and to build such intended Party-wall or Party-walls, Party-arch or Party-arches: And if any such Owner or Occupier, or other Person or Persons, shall in any Manner hinder or obstruct any Workman or Workmen employed for any of the Purposes aforesaid, or wilfully damage or injure the said Works, every such Owner or Occupier, or other Person so offending, shall, for every such Offence, forfeit and pay the Sum of ten Pounds; to be levied, recovered, and applied, as the several Penalties of ten Pounds herein-after mentioned are directed to be levied, recovered, and applied.

Persons hinder-
ing the Work-
men, or damag-
ing the Works,
to forfeit 10l.

XXXIV. Provided also, and it is hereby further enacted, That within ten Days after such Party-wall or Party-walls, Party-arch or Party-arches, shall be so built, the Person or Persons who shall have rebuilt the same, his, her, or their Executors, Administrators, or Assigns, shall leave a true Account in Writing of the Expence of building the same with the Party or Parties so awarded by the Jury as aforesaid to contribute to the Expence thereof, or at his, her, or their last or usual Place of Abode; or, in case such Party or Parties be under Coverture, to her or their respective Husbands; or if Infants, Idiots, or Lunatics, then to their respective Guardians, Trustees, or Committees; or in the Case of any Body Corporate being so awarded to contribute as aforesaid, then to the Mayor or other Officer of such Corporation; who shall pay to the Person or Persons who shall have rebuilt such Party-wall or Party-walls, Party-arch or Party-arches as aforesaid, his, her, or their Executors, Administrators, or Assigns, the Proportion of the Expence of building the same so awarded by the said Jury as aforesaid, within twenty-one Days after Demand thereof; or, in case the same be not so paid, it shall be lawful for the Tenant or Occupier of the House or Building so chargeable therewith to pay the same, and to deduct the Money so paid out of the next Rent which shall become due to the Owner or Owners of such House or Building; or the same may be recovered from the Party or Parties so awarded to pay the same by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, with double Costs of Suit.

Builders to be
repaid a Part of
the Expence ac-
cording to the
Verdict.

XXXV. Provided always, and it is hereby further enacted, That all the Powers and Authorities by this Act vested in the Court of Mayor and Aldermen of the City of *London*, may be lawfully exercised by the Court of Mayor and Aldermen of the said City, to be holden in the Outer Chamber of the Guildhall of the said City, according to the Custom of the said City.

Court of Mayor
and Aldermen
may be held
in the Outer
Chamber of
Guildhall.
Sessions for Sur-
rey to be holden
at Southwark.

XXXVI. Provided always, and be it further enacted by the Authority aforesaid, That upon every Application to the General Quarter Sessions of the Peace for the said County of *Surrey*, for or concerning any Matter to be by such Quarter Sessions ordered, directed, or done, in pursuance of this Act, the Jury (if any) to be impanelled, and all Parties required to attend the Quarter Sessions for the said County, pursuant to such Application, shall be impanelled and required to attend at some General or Special Adjournment of the said Quarter Sessions, within six Weeks next after such Application; which said Adjournment shall be to some convenient Place in the Borough of *Southwark*, in the said County, to be appointed by the Justices in the said Session; and that, from Time to Time, every further Meeting of the said Sessions, for any Thing to be done upon such Application, shall be appointed at, or within the Space of three Weeks from the last Meeting; which Adjournment and Adjournments the Justices of the Peace for the said County of *Surrey*, and every of them, are hereby empowered and required to make and hold, from Time to Time, as there shall be Occasion.

XXXVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Court of Mayor and Aldermen, and to and for any or either of the aforesaid Courts of Sessions (as the Case may be), and they are hereby empowered and required, from Time to Time, to impose any reasonable Fine or Fines on any of the said Sheriffs or Sheriff, or their or his Deputy or Deputies, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear at the Time and Place in such Summons specified, or, appearing, shall refuse to be sworn on such Jury, or to give his or their Verdict, or in any Manner wilfully neglecting his or their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons having Notice to attend to give Evidence touching the Premises, who shall not attend, or attending shall refuse to be sworn, examined, and give Evidence; and from Time to Time, in Default of Payment thereof on Demand, to levy such Fine or Fines in such Manner as other Fines set by the said Courts respectively have been usually levied; so that no Fine shall exceed the Sum of ten Pounds upon any one Person for any one Offence; and such Fine or Fines, when so received, or levied and recovered, shall be applied to and for the Use of the Person or Persons so applying to the said Court of Mayor and Aldermen, or to the said Courts of Sessions (as the Case may be), and to and for no other Use or Purpose whatsoever; and if such Person or Persons, having Notice to attend and give Evidence as aforesaid, shall not attend and give Evidence accordingly, having had ten Days previous Notice in Writing thereof, under the Hands of the Party on whose Behalf such Evidence shall be wanted, his Guardian, Trustee, Committee, Attorney, or Agent, and having been tendered his reasonable Charges and Expences for such Attendance, he, she, or they, so neglecting or refusing to give Evidence, shall be liable to an Action on the Case, to be brought against him, her, or them respectively by the Party or Parties on whose Behalf any such Notice to attend as aforesaid shall have been given; in which the Plaintiff or Plaintiffs shall recover their Damages occasioned by such Non-attendance, with full Costs of Suit; and such and no other Justification or Excuse shall be allowed for Non-attendance, as is by Law allowable for the Non-attendance of Witnesses legally summoned to appear and give Evidence on Trials of Issues joined in any of his Majesty's Courts of Record at *Westminster*: Provided, the Court where such Witness or Witnesses shall appear may (if they shall think fit) order such further Sum to be paid to such Witness or Witnesses respectively for their Attendance on such Courts-respectively, as to them shall seem reasonable, in proportion to the Time such Witness or Witnesses shall attend; and such Witness or Witnesses shall not be

Court may fine
the Sheriff or
Under Sheriff
making Default,
and also any Wit-
ness making De-
fault.

compelled to give Evidence before such further Sum or Sums (if any), as shall be so ordered, shall be paid to them respectively.

Old Party-walls
and Party-arches
when decayed,
may be rebuilt,

XXXVIII. And whereas it may happen that Party-walls or Party-arches, or Party Fence-walls, built or to be built within the Limits aforesaid, may be defective, or so far out of Repair as to render it necessary to pull down and rebuild the same, or some Part or Parts thereof, as well when both or either of the adjoining Houses or other Buildings may not require to be rebuilt, as when the said Houses or Buildings, or one of them, may require to be rebuilt; be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of June, every Owner of any House or Building within Limits aforesaid, who shall think it necessary to repair, pull down, or rebuild any Party-wall or Party Fence-wall, or any Part or Parts thereof, between any such House or Building, or the Ground thereto adjoining, and the next adjoining House or Building, or the Ground thereto adjoining, shall (in case the Owner or Owners of such adjoining House, Building, or Ground, will not, or by reason of any legal Disability, or otherwise, cannot agree, touching the repairing, or pulling down or rebuilding, the same) give three Months Notice in Writing to the Owner, if he is known, and can be met with, or if such Owner or Owners be under Coverture, to her or their Husbands respectively, or if under the Disability of Infancy, Idiocy, or Lunacy, to the Guardian or Guardians, Trustee or Trustees, Committee or Committees, of such Infant, Idiot, or Lunatic respectively, or otherwise to the Occupier of such adjoining House, Building, or Ground, of such his or her Intention to repair, or pull down, such Party-wall, Party-arch, or Party Fence-wall, or any Part thereof, by delivering a Copy of such Notice to such Owner or Occupier, or other Person or Persons as aforesaid, or by leaving the same at his, her, or their last or usual Place of Abode, or, if such adjoining House or Building be unoccupied, by fixing a Copy of such Notice on the Door of such last-mentioned House or Building; which Notice shall be in the Form or to the Effect following :

the Proprietors
pulling down
such Party-walls
or Party-arches
giving three
Months Notice.

The Term of
giving Notice.

APPREHENDING the Party-wall, Party-arch, or Party Fence-wall, or some Part thereof (as the Case shall be), between the House or Building, or Ground (as the Case shall be) thereto adjoining, situate in inhabited or occupied by and my House or Building, or Ground (as the Case shall be) adjoining thereto, to be so far out of Repair as to render it necessary to repair or pull down and rebuild the same, or some Part thereof: Take Notice, that I intend to have the said Party-wall, Party-arch, or Party Fence-wall (as the Case shall be), surveyed, pursuant to an Act of Parliament made in the fourteenth Year of the Reign of King George the Third; and that I have appointed of and of my Sur-veyors, to meet at in (being at some Place within the Limits aforesaid), on my Behalf, on the Day of next, at of the Clock in the of the same Day (being between the Hours of Six in the Morning and Six in the Afternoon): And I do hereby require and call upon you to appoint two other Surveyors or able Workmen on your Part, to meet them at the Time and Place aforesaid, to view the said Party-wall, Party-arch, or Party Fence-wall (as the Case shall be), and to certify the State and Condition thereof, and whether the same, or any Part thereof, ought to be repaired or pulled down and rebuilt. Dated this Day of

Surveyors to be
appointed to view
Party-walls and
Party-arches.

And every such Owner, if he is known, and can be met with, or, in case such Owner be under any Disability, as aforesaid; then such Person or Persons, as aforesaid, to whom such Notice shall be so given, or otherwise the Occupier to whom such Notice shall be so given, shall appoint two Surveyors or able Workmen to meet at the Time and Place in such Notice mentioned; and they, together with the two Surveyors or Workmen named by the Party giving such Notice, and whose Names shall be expressed in such Notice, may view such Party-wall, Party-arch, or Party Fence-wall, and certify the State and Condition thereof, and whether the same, or any Part thereof, ought to be repaired, or pulled down and rebuilt; and such Surveyors, so respectively named, as aforesaid, or, in case the Owner or Occupier of such adjoining House or Building, or such other Persons, as aforesaid, having Notice, as aforesaid, shall refuse or neglect to name such two Surveyors or able Workmen, according to such Notice, then the two Surveyors or Workmen named in such Notice, together with two other Surveyors or able Workmen, also to be named by the Party giving such Notice, as aforesaid, shall and may, within six Days after the Time appointed in such Notice, view the Party-wall, Party-arch, or Party Fence-wall, intended to be repaired or pulled down; and shall certify, in Writing, under their Hands, to the said Court of Mayor and Aldermen, or to the said Justices of the Peace in their next General or Quarter Sessions of the Peace respectively (as the Case may be), the State and Condition of such Party-wall, Party-arch, or Party Fence-wall, and whether the same, or any Part thereof, ought to be repaired, or pulled down and rebuilt:

If the major Part
of the Surveyors
do not certify
within one
Month, another
Surveyor to be
named by a
Justice.

And in case the major Part of the Surveyors or Workmen, appointed in Manner aforesaid to view such Party-wall, Party-arch, or Party Fence-wall, so intended to be repaired, or pulled down, shall not, within the Space of one Month next after such Appointment, sign such Certificate in Writing; then, and in every such Case, it shall and may be lawful to and for any one or more of his Majesty's Justices of the Peace for the said City of London, or County of Middlesex or Surrey, or City and Liberty of Westminster, or Liberty of his Majesty's Tower of London (as the Case shall be), and such one or more Justice or Justices is and are hereby authorized and required, upon Application to him or them for that Purpose by the Party giving such Notice, as aforesaid, to name and appoint one other able Surveyor or Workman to be added to the Surveyors or Workmen, appointed as aforesaid; and all the said Surveyors or Workmen so appointed, or the major Part of them, shall meet for that Purpose (six Days Notice having been given to or left at the Dwelling-house of each and every of them of such intended Meeting), and shall view the Party-wall, Party-arch, or Party Fence-wall, so proposed to be repaired or pulled down: And, in case the

the major Part of such Surveyors or Workmen, appointed in Manner aforesaid, shall certify, in Writing under their Hands, that the Party-wall, Party-arch, or Party Fence-wall, described in such Notice, or any Part thereof, is decayed and ruinous, or is not sufficiently secure against Fire, if any should happen, and that the same ought to be repaired or pulled down; then, within three Days next after such Certificate made by such major Part of the said Surveyors or Workmen, as aforesaid, a Copy thereof shall be delivered to the Owner or Occupier, Owners or Occupiers of, or left at such adjoining House or Building, or fixed on the Door thereof, in case the same be unoccupied; and such Certificate shall be immediately filed with the Clerk of the Peace in the City, County, or Liberty where such Wall or Arch is situate, paying such Clerk one Shilling for filing thereof, and no more: And such last-mentioned Owner or Occupier, Owners or Occupiers, shall and may (if he, she, or they, think fit) appeal from or against such Certificate to the next General or Quarter Sessions to be holden for the City, County, or Place (as the Case may be); and the Justices, at the said General or Quarter Sessions, to which such Appeals shall be made, shall summon before them one or more of such Surveyors or Workmen, and such other Person or Persons as they think fit, and shall examine the Matter upon Oath, which Oath or Oaths they are hereby empowered to administer; and upon such Examination or Examinations, the said Justices are hereby authorized and required to make such Order or Orders in the Premises as they in their Discretions shall think to be just and reasonable; which Order or Orders shall be entered and filed of Record by the Clerk of the Peace for the City, County, or Place (as the Case may be), in like Manner as the Judgments of any Court of Sessions concerning intermixed Property are herein-before directed to be entered and filed of Record; and the Determination of the said Justices shall be final and conclusive to all Parties, without any Appeal from the same: And, on Default of appealing to such next General or Quarter Sessions, as aforesaid; or if, upon any Appeal, there be no Order made to the contrary; then, and in every such Case, and not otherwise, it shall be lawful for the Party intending to repair, or pull down and rebuild, such Party-wall, Party-arch, or Party Fence-wall, as aforesaid, after the Expiration of fourteen Days after delivering or leaving the Copy of such Certificate, as aforesaid; or after the Determination of such Appeal, as aforesaid, to cause such Party-wall, Party-arch, or Party Fence-wall, or any Parts thereof, to be repaired or pulled down, and to have and exercise the like Power of Entry into or upon the adjoining House or Houses, Building or Buildings, or of breaking open the same, in the Presence of a Peace Officer, in case the same be unoccupied, or be refused to be opened, and of removing Wainscot, Shelves, Furniture, and other Things, and of shoring up the said adjoining House or Houses, Building or Buildings, as is given or allowed to the Owners of intermixed Houses or Buildings in and by this Act; and shall and may erect and build a new Party-wall or Party-walls, Party-arch or Party-arches, or any Part or Parts thereof, of such Materials, and of such Thickness and Height, and in such Manner, and subject to such Restrictions and Directions, as are in and by this Act prescribed.

XXXIX. And whereas several old Houses and other Buildings of the First, Second, and Third Rate or Class of Building within the Limits aforesaid, have, instead of Party-walls of the respective Thicknesses herein-before directed for the same, between such Houses or other Buildings and the adjoining Houses or Buildings, Party-walls, not being of greater Thickness than one Brick and an Half in Length, or thirteen Inches, from the Foundation to the Ground Floor thereof, or than one Brick in Length, or eight Inches and an Half, from thence to the Coping thereof: And whereas Disputes may arise concerning the pulling down such old Party-walls, and concerning the building Party-walls agreeable to the Rules and Directions herein contained, in the Place and Stead of such old Party-walls, whenever the Owner or Owners of any or either of the Houses or Buildings adjoining to any such Party-walls may be desirous to rebuild any such House, or rebuild any such House or Building of the First, Second, or Third Rate or Class of Building, or so much thereof as may subject the same, or the Party-walls thereto, to the Rules and Regulations contained in this Act; be it enacted by the Authority aforesaid, That if the Owner or Owners of any House or Building of the First, Second, or Third Rate or Class of Building, to which any such old Party-wall belongs, shall be desirous of pulling down and rebuilding such House or Building, or so much thereof, as aforesaid, and of such his, her, or their Desire shall give three Months Notice, in Writing, to the Owner or Owners, Occupier or Occupiers, of the next adjoining House or Building of his, her, or their Intention, in three Months from the Date thereof, to pull down such Party-wall, and in Stead thereof, to build a Party-wall agreeable to this Act of Parliament; then, and in that Case, from and after the Expiration of the three Months expressed in such Notice, it shall be lawful for the Owner of such House or Building, so intended to be rebuilt, to pull down the said Party wall, and to have and exercise the like Power of entering into and upon the said adjoining House or Building, or of breaking open the same, in the Presence of a Peace Officer, in case the same be unoccupied, or be refused to be opened, and of removing any Wainscot, Shelves, Furniture, or other Things, and of shoring up the said adjoining House or Building, as by this Act is given and allowed to the Owners of intermixed Houses or Buildings; and shall and may, in the Place and Stead of every such old Party-wall, build a new Party-wall, of such Materials, Thickness, and Height, and in such Manner, and subject to such Restrictions and Directions, as are in and by this Act prescribed.

XL. And whereas several old Houses, or other Buildings, within the Limits aforesaid, have, instead of a Party-wall between such House or other Building, or between such Houses or other Buildings and the Houses or other Buildings and Ground adjoining thereto, one Timber or Wood Partition, or two old Timber or Wood Partitions, with or without Buck Nogging, in one or more of the Stories thereof, one belonging to each House or other Building: And whereas Disputes may arise concerning the pulling down such Partitions, and the Wall or Walls under or over the same, if any such there be, and concerning the building Party-walls, agreeable to the Rules and Directions herein contained, in the Place and Stead of such Partition or Fence, whenever it may be expedient to rebuild any such House or Building, or so much thereof as may subject the same, and the Partitions abutting on the same, to the Rules

Walls being certified by the Surveyors to be ruinous a Copy of the Certificate to be delivered to the Owners, &c. in three Days.

Owners thinking themselves aggrieved may appeal to the General Quarter Sessions;

whose Determination shall be final. Powers of Parties intending to repair, &c. in Default of Appeal.

Owners of Houses of the First, Second, and Third Class shall give three Months Notice in Writing before pulling down old Party-walls.

Owners of Houses having Partitions of Wood, may give three Months Notice to Owners of adjoining Houses of their Design to pull down the same, &c.

and Regulations contained in this Act; be it enacted by the Authority aforesaid, That if the Owner or Owners of any House or Building to which any such Timber or Wood Partition or Partitions, or Wooden Fence belongs, shall be desirous of pulling down and rebuilding such House or Building, or so much thereof as aforesaid, and of such his, her, or their Desire, shall give three Months Notice to the Owner or Owners, Occupier or Occupiers, of the next adjoining House or Building of his, her, or their Intention to pull down such Timber or Wood Partition or Partitions after the End of three Months after the Date of such Notice, and instead thereof to build a Party-wall or Party-walls, agreeable to this Act of Parliament; then, and in that Case, from and after the Expiration of the three Months expressed in such Notice, it shall be lawful for the Owner of such House or Building so to be rebuilt, to pull down the said Partition or Partitions, and the Wall or Walls under or over the same, if any such there be, and the said Wooden Fence or Fences, and to have and exercise the like Power of Entry into and upon the said adjoining House or Building and Ground, or of breaking open the same in the Presence of a Peace Officer, in case the same be unoccupied, or be refused to be opened, and of removing any Wainscot, Shelves, Furniture, or other Things, and of shoring up the said adjoining House or Building, as by this Act is given and allowed to the Owners of intermixed Houses or Buildings; and shall and may, in the Place and Stead of such Partition or Partitions, and of the Wall or Walls under or over the same, if any such there be, or of such Wooden Fence or Fences, build a new Party-wall or Party-walls, of such Materials, Thickness, and Height, and in such Manner, and subject to such Restrictions and Directions, as are in and by this Act prescribed.

and afterwards may pull down the said Partitions, remove Furniture, &c. as before directed.

How Owners are to be reimbursed Part of their Expence, and in what Proportion, who have built said Partitions or Party-walls

XXI. And be it further enacted by the Authority aforesaid, That the Person or Persons, at whose Expence any Party-wall or Party-arch shall be built agreeably to the Directions of this Act, shall be reimbursed by the Owner or Owners who shall be intitled to the improved Rent of the adjoining Building or Ground, and who shall, at any Time, make use of such Party-wall or Party-arch, a Part of the Expence of building the same, in the Proportion after mentioned; that is to say, If the adjoining Building then erected, or afterwards to be erected, be of the same Rate or Class of Building as, or superior to, the Building belonging to the Person or Persons at whose Expence the said Party-wall was built, then the Owner or Occupier of such adjoining Building or Ground shall pay one Moiety of the Expence of building so much of the said Party-wall or Party-arch as such Owner or Occupier shall make use of; and if the adjoining Building then erected, or afterwards to be erected, be of an inferior Rate or Class of Building, then the Owner or Occupier of such adjoining Building or Ground shall pay a Sum of Money equal one Moiety of the Expence of building a Party-wall or Party-arch of the Thickness by this Act required for the Rate or Class of Building whereof such adjoining Building shall be, and of the Height and Breadth of so much of the said Party-wall or Party-arch as such Owner or Occupier shall make use of: And, in the mean time, and until such Moiety or other proportional Part of the Expence of building such Party-wall or Party-arch be so paid, the sole Property of such whole Party-wall or Party-arch, and of the whole Ground whereon the said Party-wall shall stand, shall be vested entirely in the Person or Persons at whose Expence the same shall be built: And such Moiety, or other proportional Part of the Expence of building such Party-wall or Party-arch shall be so paid to the Person or Persons at whose Expence the same shall be built, or in whom the Property thereof shall be vested at the Times herein-after mentioned; that is to say, In respect of every such Party-wall to any House or Building whereunto, at the Time of building the same, no other House or Building was adjoining, so soon as such Party-wall shall be first cut into or made use of; and in respect of every such Party-wall or Party-arch as shall be built against, or adjoining to, any other House or Building, so soon as such Party-wall or Party-arch shall be completely built and finished: And in respect of such last-mentioned Party-wall or Party-arch, the Owner or Occupier of such adjoining House or Building shall, together with such proportional Part of the Expence of building such Party-wall or Party-arch, also pay a like proportional Part of all other Expences which shall be necessary to the pulling down the old Party-wall, or Timber or Wood Partition, and the Whole of all the reasonable Expences of shoring up such adjoining House or Building, and of removing any Goods, Furniture, or other Things, and of pulling down any Wainscot or Partition, and also all such Costs, if any, as may have been awarded by the said Court of Mayor and Aldermen, or Court of Sessions, as aforesaid; but not any Part of the Expence of pulling down and clearing away any such old Party-wall or Party-arch, or old Partition, if any such there was: And it is hereby directed, that the Expence of building such Party-wall or Party-arch shall be estimated after the Rate of seven Pounds fifteen Shillings by the Rod, for the new Brick-work, deducting thereout after the Rate of twenty-eight Shillings by the Rod for the Materials (if any) of so much of the old Wall or Arch as did belong to such adjoining Building or Ground, and also after the Rate of Two-pence by the Cubical Foot for the Materials (if any) of so much of the old Timber Partition as did belong to such adjoining Building or Ground: And that within ten Days after such Party-wall or Party-arch shall be so built, or so soon after as conveniently may be, such First Builder or Builders shall leave, at such adjoining House or Building, a true Account, in Writing, of the Number of Rods in such Party-wall or Party-arch for which the Owner or Owners of such adjoining Building or Ground shall be liable to pay, and of the Deduction which such Owner or Owners shall be intitled to make thereout, on account of such Materials, and also an Account of such other Expences and Costs as aforesaid; whereupon it shall be lawful for the Tenant or Occupier of such adjoining Building or Ground to pay one Moiety, or such proportional Part, as aforesaid, to such First Builder or Builders for the same, and also for shoring and supporting such adjoining Building as aforesaid, and for all such other Expences as are herein-before directed to be paid by the Owner or Owners of such adjoining Building or Ground, and to deduct the same out of the Rent which shall become due from him or her to such Owner or Owners, under whom he or she holds the same respectively, until he or she shall be reimbursed the same: And in case the same be not paid within twenty-one Days next after Demand thereof, then the same shall and may be recovered, together with full Costs of Suit, of and from such Owner or Owners, by Action of Debt,

Until Payment of Expence, the Property of the Party-wall, &c. vested in the Builder. When a proportional Part is to be paid.

Rates for building of Party-walls.

Ten Days after Party-wall is finished, an Account to be left with the Owner of adjoining Buildings what he is liable to pay.

How Expence may be recovered.

or on the Case, in any of his Majesty's Courts of Record at *Westminster*; wherein no Effoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed: And if the Plaintiff or Plaintiffs, in any such Action, shall, three Calendar Months at the least before the Commencement thereof, give Notice in Writing to the Person or Persons against whom such Action is intended to be brought, of his, her, or their Intention to bring the same, or leave the same at his, her, or their last or usual Place of Abode, and shall in such Notice specify the Sum for which it is to be brought, and also annex to such Notice a Bill of the just and true Particulars of the Expences and Charges with which the intended Defendant or Defendants is or are to be charged; then such Plaintiff or Plaintiffs, if he, she, or they, recover the full Sum specified in such Notice, shall also recover and be intitled to Double Costs of Suit, and shall have and be intitled to the like Remedies for Recovery thereof, as are usually given for Costs in other Cases of Costs at Law.

XLII. And be it further enacted by the Authority aforesaid, That every Party-wall hereafter to be built, and every Addition which shall be made thereto, or to any Party-wall which is already built or begun, shall be built agreeable to the Directions herein contained concerning the Party-wall of the highest Rate or Class of Building to which such Party-wall shall adjoin, when such Additions are completed; and that no Party-wall now built, or hereafter to be built, shall, after the same and the Buildings adjoining thereto is and are completed, be raised, unless the same when raised be of the full Thickness such Party-wall is of in the Story next under the Roof of the highest adjoining Building; nor shall any Party-wall hereafter be raised, unless the same can be done with Safety to such Wall, and the several Buildings adjoining thereto; but all such Party-walls as will, when raised, be of the Materials, Heights, and Thicknesses herein-before required, or as can be safely raised, may, together with the Shaft or Shafts of the Chimnies belonging thereto, be raised by and at the Expence of the Proprietor or Occupier of any Building, to which the same belong, to any Height he, she, or they, shall think proper; but if the Proprietor or Occupier of any Building adjoining to the said Party-wall and Chimney Shafts, shall make use of any Part of such Party-wall and Chimney Shaft, other than the Use he makes of the Chimney Flues therein, which shall be so raised, then such Person so making use thereof, for the Part so used, shall be chargeable with a proportionable Share of the Expence of raising such Party-wall and Chimney Shafts; and in computing such Charge the same shall be rated in Manner herein-before mentioned, and the Proportion such Person shall be liable to pay shall be recovered in such Manner as is herein-before particularly declared concerning the first Building of a Party-wall.

XLIII. Provided always, That any Party Fence-wall, now built, or hereafter to be built, may be raised by and at the Expence of the Proprietor or Occupier of the Ground on either Side adjoining thereto; but no Party Fence-wall shall hereafter be built upon, or against, or used as a Party-wall, unless the same be of the Materials, Height, and Thickness, herein-before directed for Party-walls, to the Rate or Class of Building so to be erected against or upon the same: And in case of the Insufficiency of such Wall for the Purposes aforesaid, or if instead of such Party Fence-wall there be only a Wooden Fence, the Proprietor or Occupier of either of the adjoining Premises shall be at Liberty, at his own Expence, to take down such Wall or Fence, and erect a new Party-wall in lieu thereof, making good every Damage that may accrue to the adjoining Premises by such Rebuilding, so nevertheless as that such new Party-wall shall not extend on the Surface of such adjoining Ground more than Seven Inches beyond the Centre Line of such Party Fence-wall or Fence; but no Proprietor or Occupier of such adjoining Premises shall make use of such Party-wall, otherwise than as a Party Fence-wall, unless he, she, or they, pay a proportionable Share of the whole Expence of erecting such Parts of such Wall, according to the Use he, she, or they, shall make of the same, at the Rates aforesaid.

uses it other than as a Party Fence-wall, he must contribute to

XLIV. Provided also, That in case any such Party-wall shall extend further upon the Ground of the Party building the same than the Party Fence-wall did, yet the Party rebuilding the same shall not thereby lose any Part of the Soil whereon such Party-wall shall be built; nor shall the Owner or Owners of the other Part of such Party-wall claim, or be intitled to, any Right of Soil, more than what he was before intitled to.

XLV. And be it enacted by the Authority aforesaid, That if the Fore-front and Back-front of any Building now built, shall, after the said twenty-fourth Day of June, be rebuilt as low as the Bressummer, or one Pair of Stairs Floor, within the Space of five Years from each other, the Party-walls of every such Building shall, from thenceforth, be in all respects subject to the several Regulations herein-before contained concerning the Party-walls of Houses to be built after the said twenty-fourth Day of June: And for the further Prevention of Fire, the Back of every Chimney to be built after the said twenty-fourth Day of June, in any Building of the First Rate or Class of Building, not being in a Party-wall, shall be in the Cellar Story at least thirteen Inches thick from the Hearth, to the Height of twelve Inches above the Mantle; and shall be at least eight Inches and an Half Thick from the Hearth to the Height of twelve Inches above the Mantle in every other Story, except where any such Chimney shall be built against a Wall, in which Case the Back of every such Chimney, from the Hearth to the Height of twelve Inches above the Mantle, may be Half a Brick thinner: And that the Back of every Chimney hereafter to be built in any Building of the Second, Third, or Fourth Rate or Class of Building, not being in a Party-wall, shall be in every Story at least eight Inches and an Half thick, from the Hearth to the Height of twelve Inches above the Mantle, except where any such Chimney shall be built against a Wall, in which Case the Back of every such Chimney from the Hearth to the Height of twelve Inches above the Mantle may be Half a Brick thinner: And that there shall be no Timber whatever over the Opening of any Chimney, to be built after the Time aforesaid, for supporting the Breast of such Chimney; but they shall be an Arch of Brick or Stone, or an Iron Bar or Bars over the Opening of every such Chim-

If the Plaintiff before Action gives three Months Notice,

and recovers his whole Charge, he shall be intitled to double Costs.

Party-walls shall be such as are required for the highest Rate of Building adjoining, and not to be of less Thickness,

and may be raised by the Owner of one Side. If the Owner of the other Side make use of it, he must contribute to the Expence.

Party Fence-walls may be raised by the Owner of one Side, but not to be used as a Party-wall unless of sufficient Thickness, &c.

Owner of one Side may take down a Party Fence-wall, and build a Party-wall.

If the Owner of the other Side the Expence.

First Builder not to lose any Right of Soil on account of Party-wall not being half on each Ground. If the Fore and Back Fronts are taken down within five Years, this is deemed a Rebuilding. Thickness of Backs of Chimnies not in Party-walls.

Breast of Chimney not to be supported by Timber.

Timber under the Hearth must be 18 Inches lower.

Hearth must be laid on Brick or Stone, or on the Ground.

Slabs before Hearths, and Brick Trimmers under them.

No Timber in the Brick-work of Ovens, Copers, &c.

Distance of Timber laid in the Brick-work of Chimnies, Stoves, &c.

Wood-work on the Front of Chimnies to be fixed by Iron Nails.

No Chimney to be erected on Timber.

Materials of external Walls.

Sash frames and Door-frames to be in Reveals.

Story-posts and Bressummers to be but two Inches in Party-walls.

Corner Story-posts to be of Oak or Stone, and 12 Inches square. Flats, Roofs, &c how to be covered.

Materials of external Decorations.

ney, to support the Breast thereof: And that no Timber shall, after the said Time, be laid in any Wall under the Hearth of any Chimney thereafter to be built, unless the same shall be in every Part thereof which shall lie under such Hearth eighteen Inches at the least lower than the Surface of such Hearth; and that the Hearth of every Chimney, to be built after the Time aforesaid, shall be laid wholly on Brick or Stone, except the same be in a Cellar or Ground Story, and be laid and bedded on the solid Earth; and every such Chimney shall have a Slab or Slabs, or Foot Paces before the same, of Tile, Stone, Marble, or Iron, at least eighteen Inches broad, and at least one Foot longer than the Opening of every such Chimney when finished; and such Slab or Slabs, or Foot Paces, shall be laid on Brick or Stone Trimmers, at least eighteen Inches broad from the Opening of such Chimney, or from the perpendicular Face of the Arch over the Opening which supports the Breast of such Chimney; except the same be in a Cellar or Ground Floor, and be laid and bedded on the solid Earth: And that no Timber or Wood-work whatever shall be laid in the Brick-work of any Oven, Stove, Copper, Still, Boiler, or Furnace, to be built after the said twenty-fourth Day of *June*, nor within two Feet of the Inside of any such Oven, Stove, Copper, Still, Boiler, or Furnace; nor shall any Timber whatever be laid in the Brick-work of any Chimney, to be built after the said Time, nearer than nine Inches to the Opening of such Chimney, or than five Inches to the Inside of the Flue of any Chimney, Oven, Stove, Copper, Still, Boiler, or Furnace, or than nine Inches to the Inside of the Flue of any such Oven, Stove, Copper, Still, Boiler, or Furnace, where any such Timber shall lie or be placed nearer than five Feet above the Mouth of the same: And that no Wood-work whatever shall, at any Time after the Time aforesaid, be affixed to the Front of any Jamb or Mantle, or to the Front or Back of any Chimney or Flue, except such Wood-work be affixed by Iron Nails or Holdfasts, or other Iron Fastenings; and no Iron Nail, Iron Holdfast, or other Iron Fastening, shall lie or be drove more than three Inches into the Wall against such Chimney or Flue, or nearer than four Inches to the Inside of the opening of any Chimney: And that no Chimney shall, after the Time aforesaid, be erected on any Timber-work whatever, except on such Piling, Bridging, or Planking, as may be necessary below the Foundation of the Building in which such Chimney is erected; but every Chimney thereafter to be built shall be erected on such Piling, Bridging, or Planking, or on solid Ground, or on a Brick or Stone Foundation, or shall be set upon Brick or Stone Corbels, or Iron Brackets, or upon Iron Shores, which Iron Shores shall be supported by Brick or Stone Foundations.

XLVI. And it is hereby further enacted, That every external Wall or external Inclosure of every Building of the First, Second, Third, Fourth, or Fifth Rate or Class of Building, which shall be erected and built after the said twenty-fourth Day of *June*, and of every Addition or Enlargement thereafter to be made to any Building of the First, Second, Third, Fourth, or Fifth Rate or Class of Building, now erected, or hereafter to be erected, shall be of Brick, Stone, Artificial Stone, Lead, Copper, Tin, Slate, Tile, or Iron, or of Brick, Stone, and such Artificial Stone, Lead, Copper, Tin, Slate, Tile, and Iron together, except the necessary Piling, Bridging, and Planking, for the Foundation of the same, and also except the necessary Templets, Chains, Bond-timbers, and also except the Doors, Sashes, Window-shutters, and Door and Window Frames to such Buildings, and the Tiers or Stories of Door-cases and Doors to all such Warehouses as are or shall be of the First, Second, Third, or Fourth Rate or Class of Building; all which Window-frames and Door-frames shall be set in Reveals, and recessed at least four Inches from the Front of the Building in which such Window-frames and Door-frames shall be fixed; and also except the Bressummers, Story-posts, and Plates, which may be made on the Ground-story only; and also except all Stall-boards for the Conveniency of any Shop or Shops, which may be made on the Ground-story only; which Bressummers, Story-posts, and Plates, and the Tiers or Stories of Door-cases and Doors to all such Warehouses, as before mentioned, are not hereby required to be fixed in Reveals; but no Story-post or Bressummer shall, at any Time, after the said twenty-fourth Day of *June*, be fixed more than two Inches deep in any Party-wall, or be placed in any Front nearer than seven Inches to the Centre Line of the Party-wall of such Building, if such Party-wall be of the Thickness of two Bricks, or nearer than four Inches and an Half to the Centre of such Party-wall, if such Party-wall shall not exceed one Brick and an Half in Thickness; but no Timber-work whatever, other than and except such Bressummer, Story-posts, and Plates, and such Tiers or Stories of Door-cases and Doors shall be laid in any such external Wall nearer than four Inches to the external Surface thereof; and every such Story-post which shall be fixed as a Support to two Fronts, being the Corner of any Streets, Square, Place, Court, or Way, shall be of Oak or Stone, and at least twelve Inches square.

XLVII. And be it further enacted by the Authority aforesaid, That every Flat, Gutter, and Roof, of every Building of the First, Second, Third, Fourth, or Fifth Rate or Class of Building, which shall be built after the said twenty-fourth Day of *June*, and every Turret, Dormer, and Lanthorn Light, or other Erection, which shall be placed in the Flat or Roof of any such Building, and every external Part of any Flat, Gutter, Roof, Turret, Dormer, and Lanthorn, in any Building of the First, Second, Third, Fourth, or Fifth Rate or Class of Building, now built, and which shall, at any Time after the Time aforesaid, be ripped or uncovered, shall be covered with Glass, Copper, Lead, Tin, Slate, Tile, or Artificial Stone; except the Doors, Door-frames, Windows, and Window-frames, of such Dormers, Turrets, Lanthorn Lights, or other Erections.

XLVIII. And be it further enacted by the Authority aforesaid, That every Coping, Cornice, Facia, Window-dressing, Portico, Balustrade, or other external Decoration or Projection whatsoever, to be made after the said twenty-fourth Day of *June*, to any Building of the First, Second, Third, or Fourth Rate or Class of Building; and also every Frontispiece to any Building of the First Rate or Class of Building, now built, or hereafter to be built, or to any Addition or Enlargement of any such Building, shall externally be of Brick, Stone, Burnt Clay, or Artificial Stone, Stucco, Lead, or Iron; except the Cornices and Dressings to Shop-windows; and also except such covered Ways as may hereafter be made to any Building, so nevertheless as that the said covered Way, or any Part thereof, shall not extend beyond

beyond the original Line of the Houses in the Street or Way in which the same shall be or is erected; and such covered Way shall be covered with Stone, Lead, Copper, Slate, Tile, or Tin; and neither the said covered Way, nor the Cornice or Dressings to any Shop-window, nor the Roof of any such Portico, shall be higher than the under Side of the Sill of the Window-frame of the one Pair of Stairs Window of the Building to which the same belongs: And that no Water shall be suffered to drip next to any publick Street, Square, Place, Court, or Way, from the Roof of any Building of the First, Second, Third or Fourth Rate or Class of Building, to be built after the said twenty-fourth Day of *June*, except from the Roofs of Porticoes or other Entrances; but all Water from such Roofs shall be conveyed by Lead, Copper, Tin, or Iron Gutters or Pipes, or all, or either, or any of them, or by Wooden Trunks, or Brick or Stone Funnels, to the Drains or Channel Stones, now made, or hereafter to be made, on or below the Surface of the Ground, for that Purpose, or to some Cistern or other Reservoir made to receive the same, or to any Front of such Building not abutting upon any publick Street or Way; and no such Brick or Stone Funnel shall, after the Time aforesaid, be made or built, unless the same shall be in every Part thereof below the Surface of the Foot Pavement before the same, nor shall any such Wooden Trunk, after the said Time, be fixed, unless the same be, in every Part thereof, below the Tops of the Windows of the Ground Story.

Water how to be conveyed from Roofs.

XLIX. And be it further enacted by the Authority aforesaid, That no Bow-window or other Projection shall, after the Time aforesaid, be built with, or added to, any Building of the First, Second, Third, or Fourth Rate or Class of Building, next to any publick Street, Square, Court, or Way, so as to extend beyond the general Line of the Fronts of the Houses in such publick Street, Square, Court, or Way, in which such Bow-window or other Projection is made; except such Projections as may be necessary for Copings, Cornices, Facias, Door and Window Dressings, or for open Porticoes, Steps, or Iron Pallisades; and also except such Window to any Shop or Shops on the Ground-floor Story of any such Building, the Stall-boards of which Windows shall not, in any Street or Way thirty Feet wide or more, project above ten Inches, nor in any Street or Way less than thirty Feet wide, above five Inches from the upright Line of the Building in such Street or Way respectively: And no Cornice or Covering thereof to any such Shop-window shall, in any Street or Way thirty Feet wide or more, project more than eighteen Inches, nor in any Street or Way less than thirty Feet wide more than thirteen Inches from the upright Line of the Building to which such Shop-window belongs: And that no Bow-window or other Projection, except as before excepted, shall, after the said twenty-fourth Day of *June*, be built with, or added to, the Front of any Building of the First, Second, Third, or Fourth Rate or Class of Building, unless the same, and the Columns and Pilasters (if any) which support the same, be built of the several Materials herein-before directed to be used in all external Walls, or external Inclosures.

No Bow-windows to be built extending beyond the Line of the Street, except Projections for Decorations, Shop-windows and Stall-boards.

Materials of Bow-windows and Projections.

L. Provided always, and be it enacted, That nothing herein contained shall prejudice, lessen, or defeat the Powers granted to any Commissioners for paving any Streets or other Places within the Limits aforesaid, by any Act or Acts of Parliament, or to the Commissioners of the Sewers for the City of *London*.

Saving to Commissioners of Paving.

LI. And be it further enacted by the Authority aforesaid, That every external Wall, or other external Inclosure, to any Building, which is built, or begun to be built, before the said twenty-fourth Day of *June*, not being of the several Materials in and by this Act required for external Walls, or external Inclosures, thereafter to be built, may be at all Times thereafter repaired with the same Sort or Sorts of Materials as the Materials of which such external Wall, or other external Inclosure, is erected (except the external Inclosures of Roofs, Flats, Gutters, and of the Dormers, Turrets, and Lanthorn Lights, or other Erections on the same, which shall be repaired with the Materials herein-before directed for the same); but in case any such external Wall, or other external Inclosure, be at any Time hereafter taken down, or otherwise demolished to the Bressummer or one Pair of Stairs Floor, or the Place where the Bressummer is usually fixed, then every Part of the same, not being built of the several Materials in and by this Act required for external Walls, or other external Inclosures, thereafter to be erected, shall be taken down, and the same shall be entirely rebuilt of such Materials, and in such Manner, in all Respects, as in and by this Act required for all external Walls, or other external Inclosures, thereafter to be built, according to the Rate or Class of Building to which such Wall, or other external Inclosure, belongs.

Old external Walls or Inclosures may be repaired with the same Materials.

LII. And be it further enacted by the Authority aforesaid, That no Bow-window, or other Projection, made or built before the said twenty-fourth Day of *June*, shall be at any Time thereafter rebuilt, except such Projections as are in and by this Act allowed, unless such Bow-window, or other Projection, was built at the same Time the House or Building to which the same belongs was built, or unless such Bow-window, or other Projection, be within the original Line of the Street, Square, Place, Court, or Way, in which the same is erected.

No Bow-window or Projection to be rebuilt, unless originally built, or within the Line of the Street, &c.

LIII. And be it further enacted by the Authority aforesaid, That no Stack of Warehouses to be erected after the said twenty-fourth Day of *June*, shall contain more than thirty-five Squares of Building on the Ground Plan thereof, including all the external and internal Walls, and so much of the Party-walls, if any, as belong to such Stack of Warehouses; and no Enlargement shall be at any time thereafter made to any Stack of Warehouses already built or begun, so as to increase the same beyond the said thirty-five Squares on the Ground Plan, including such walls as aforesaid, except such Stack of Warehouses be separated and divided by one or more Party-wall or Party-walls, built, in every Respect, according to the Directions herein-before contained concerning Party-walls, into Divisions or not more than thirty-five Squares each, including such Walls as aforesaid on the Ground Plan of such Warehouses; and that no Stack of Warehouses shall communicate with any other Warehouse or Building through a Party-wall, unless the Door-case and Sill of every such Communication be of Stone, and unless there be to every such Communication a Door of wrought Iron, of the Thickness of a Quarter of an Inch at least in the Panels thereof; and no Timber, Bond, or Lintel, shall be laid into the Brick-work of any Wall in any such Stack of Warehouses nearer than eighteen Inches to the Opening of such Communication.

No Stack of Warehouses to be above 35 Squares including internal and external Walls.

No Communication through Party-walls unless by Stone Door-cases and Iron Doors. No Timber within 18 Inches of such Door.

No Stables to contain more than 25 Squares of Building including internal and external Walls.

LIV. And be it further enacted by the Authority aforesaid, That no Building for Stables, to be erected after the said twenty-fourth Day of June, shall contain more than twenty-five Squares of Building on the Ground Plan thereof, including all the external and internal Walls, and so much of the Party-walls (if any) as belong to such Building for Stables; and no Enlargement shall be at any Time thereafter made thereto, or to any Building for Stables already built, or begun to be built, so as to increase the same beyond the said twenty-five Squares on the Ground Plan, including such Walls as aforesaid, except such Building for Stables be separated and divided by one or more Party-wall or Party-walls, built in every Respect according to the Directions herein-before contained concerning Party-walls into Divisions of not more than twenty-five Squares each, including such Walls as aforesaid, on the Ground Plan of such Stables: And that no such Building for Stables shall communicate through a Party-wall with any other Stables or Building, unless the Door-case and Sill of every such Communication be of Stone, and unless there be to every such Communication a Door of wrought Iron, of the Thickness of a Quarter of an Inch in the Pannels thereof; and no Timber, Bond, or Lintel, shall be laid into the Brick-work of any Wall in any such Building for Stables nearer than eighteen Inches to the Opening of such Communication.

No Communication Door without having Stone Cases, &c.

Buildings hereafter divided into distinct Tenures on the Ground-floor deemed separate Buildings.

LV. And be it further enacted by the Authority aforesaid, That if any Building whatsoever of the First, Second, Third, or Fourth Rate or Class of Building (except Buildings in the several Inns of Court or Chancery, the Royal Exchange, Companies Halls, and except Warehouses and Dwelling-houses let at a Rack Rent for not more than twenty-five Pounds by the Year), be at any Time hereafter converted into two or more Dwelling-houses, Work-shops, Stables, or other Buildings, which shall be in distinct Tenures on the Ground-floor thereof, then each such Tenement shall be considered as a separate Building, and the same shall be divided from each other by a Party-wall or Party-walls; and every such Party-wall shall be of the Materials, Height, and Thickness, and shall be from Time to Time under the several Regulations respecting Party-walls herein directed to be observed with respect to the Party-wall of the highest Rate or Class of Building adjoining to such Party-wall or Party-walls.

Not to prevent Proprietors from dividing Warehouses;

LVI. Provided nevertheless, That nothing in this Act contained shall extend to prevent any Person, being the Proprietor or Leaseholder of any Stack of Warehouses, from dividing the said Warehouses from Time to Time into Divisions, for the Convenience of letting the same to Under Tenants; so, nevertheless, as that, if any Stack of Warehouses contain more than thirty-five Squares of Building on the Ground Plan, the same shall be separated and divided by a Party-wall or Party-walls as aforesaid into Divisions of not more than thirty-five Squares each, as is herein-before directed concerning Stacks of Warehouses to be erected after the said twenty-fourth Day of June.

Not to prevent Proprietors from dividing Stables, subject to Restrictions mentioned.

LVII. Provided also, That nothing in this Act contained shall extend to prevent any Person, being the Proprietor or Leaseholder of any Stable Yard, or Livery Stables, from dividing the said Stables from Time to Time into Divisions, for the Convenience of letting the same to Under Tenants; so, nevertheless, as that if any Building for Stables contain more than twenty-five Squares of Building on the Ground Plan, the same shall be separated and divided by a Party-wall or Party-walls, as aforesaid, into Divisions of not more than twenty-five Squares each, as herein-before directed concerning Buildings for Stables to be erected after the said twenty-fourth Day of June.

Buildings of the Fifth and Sixth Rates, in distinct Tenures, and not at the requisite Distances, deemed Nuisances.

LVIII. And it is hereby further enacted, That if any Building herein-before declared to be of the Fifth or Sixth Rate or Class of Building, be hereafter divided into two or more distinct Tenures, and the several Parts of such Building in such separate Tenures be not at the several Distances from each other herein-before particularly directed for every such Fifth or Sixth Rate Building; then, every such several Part of such Building in every such separate and distinct Tenure, being nearer to each other than the said several Distances, shall be deemed a publick Nuisance, and shall be immediately taken down as such.

No Funnel for Smoke next the Street in the Front of Houses of the First, Second, Third, or Fourth Rates. No Funnel with inside nearer than 14 Inches to any Timber. No Brick Funnel in the Front to extend beyond the Line of the Street.

LIX. And be it further enacted by the Authority aforesaid, That no Iron, Tin, Copper, or other Pipe or Funnel for conveying Smoke or Steam, shall be, at any Time after the said twenty-fourth Day of June, fixed next any publick Street, Square, Court, or Way, on the Front of any Building of the First, Second, Third, or Fourth Rate or Class of Building; nor shall any such Pipe or Funnel be fixed on the Inside of any such Building nearer than fourteen Inches to any Timber, or other combustible Material whatever; nor shall any Brick Funnel be thereafter built or placed on the Outside of any Front next to any publick Street, Square, Place, Court, Road, or Way, of any Building of the First, Second, Third, or Fourth Rate or Class of Building, so as to extend beyond the general Line of the Houses in the publick Street, Square, Place, Court, or Way, in which the same is erected.

Every Building contrary, declared to be a common Nuisance;

LX. And be it further enacted by the Authority aforesaid, That every Church, Chapel, Meeting-house, Dwelling-house, or other Building, and every Party-wall and other Wall which shall, after the said twenty-fourth Day of June, be built within the Limits of this Act, shall be built pursuant to such Rules and Regulations, and with such Materials, as are herein-before particularly appointed; and if any Person or Persons presume to build or to begin Building, or to cause the Building or beginning to build, or to alter, or cause to be altered, any Building already erected in any respect contrary thereunto, and be thereof convicted by the Oaths of two or more credible Witnesses before the Mayor of the City of London, or any two or more Justices of the Peace for the said City of London, or Counties of Middlesex or Surrey, or City and Liberty of Westminster, or Liberty of his Majesty's Tower of London respectively, where such Building, contrary to the Regulations aforesaid, shall be situated (which Oaths they the said Mayor and Justices are hereby respectively empowered and required to administer), then the said House, Building, or Wall, so irregularly built, or begun to be built, or so irregularly altered, or begun to be altered, shall be deemed a common Nuisance, and the Builder and the Owner thereof, or one of them, such as the said Mayor or Justices shall require, shall enter into a Recognizance in such Sum as the

and the Builder and Owner to

the said Mayor or Justices shall respectively appoint, for abating and demolishing the same, within such convenient Time as the said Mayor or Justices shall respectively appoint; or otherwise to amend the same according to such Rules and Regulations as are herein-before contained: And in Default of entering into such Recognizance, the Person or Persons so making Default shall be committed to the common Gaol of the City, County, or Liberty, where the Offence shall be committed, there to remain, without Bail or Mainprize, until he shall have abated or demolished, or otherwise amended, the same; or until such irregular House or Building shall be abated or demolished by Order of such Mayor or Justices respectively, which Order the said Mayor and Justices are hereby impowered to make; provided always that such Conviction be had within three Months after such Building shall be finished.

enter into a Recognizance to demolish the same.

LXI. And it is hereby further enacted, That it shall be lawful for the Mayor of the City of London, or any two or more Justices of the Peace for the said City of London, or County of Middlesex or Surrey, or City and Liberty of Westminster, or Liberty of his Majesty's Tower of London respectively, where any Building contrary to the Regulations aforesaid shall be situated, to order every House or Building so irregularly built, or begun to be built, or so irregularly altered, or begun to be altered, as is by this Act declared to be a common Nuisance, to be abated or taken down, and to order the Person or Persons authorized to abate or take down the same, to sell and dispose of the Materials thereof, and out of the Monies arising by the Sale thereof, to pay to themselves, and all Persons by them employed for the Purposes aforesaid, the reasonable Charges of abating or taking down such Nuisance; and to pay the Surplus of the Monies arising by such Sale (if any be) to the Owner or Owners of such Materials; and if the Monies arising by such Sale be not sufficient to pay such Charges, the Deficiency shall be made good by such Owner or Owners, and may be levied in like Manner as is herein-after directed concerning the Expence of taking down ruinous Buildings, and putting up Hoards for the Safety of Passengers.

Buildings deemed Nuisances shall be taken down by Order of the Court,

and Materials sold to defray the Expence.

LXII. And be it further enacted by the Authority aforesaid, That the Mayor and Aldermen of the said City of London shall and may nominate and appoint such and so many discreet Persons, skilled in the Art of Building, as they the said Mayor and Aldermen think fit, to be, during their Will and Pleasure, the Surveyors or Supervisors to see the said Rules and Regulations well and truly observed in and throughout the said City of London, and the Liberties thereof: And it shall be lawful for the said Mayor and Aldermen in their Court of Aldermen, and they are hereby required to administer to all the said Surveyors or Supervisors an Oath for the true and impartial Execution of their Office in that Behalf; and to appoint the several Districts which shall be under their respective Surveys: And it shall also be lawful for the Justices of the Peace for the County of Middlesex, the County of Surrey, the City and Liberty of Westminster, and the Liberty of his Majesty's Tower of London, in their General Quarter Sessions respectively, and they are hereby required, within their respective Jurisdictions, to nominate and appoint such, and so many discreet Persons skilled in the Art of Building, as the said Justices, in their respective Quarter Sessions, think fit, to be, during their Will and Pleasure, the Surveyors or Supervisors to see the said Rules and Regulations well and truly observed in and throughout the said City and Liberty of Westminster, and the said several Parishes, Precincts, and Places aforesaid, within the Jurisdiction of the respective Quarter Sessions by whom they shall be so appointed: And the said Justices, in their respective Quarter Sessions, shall administer to the said Surveyors or Supervisors by them respectively appointed, an Oath for the true and impartial Execution of their Office in that Behalf, and shall appoint the several Districts which shall be under their respective Surveys; which Oath shall be in the Form, or to the Effect, following; that is to say,

Court of Aldermen of London, to appoint Surveyors in that City. In other Places the Quarter Sessions to appoint Surveyors.

I *A. B.* being one of the Surveyors or Supervisors appointed in pursuance of an Act of Parliament, passed in the fourteenth Year of the Reign of King George the Third, For the further and better Regulation of Buildings and Party-walls; and for the more effectually preventing Mischief by Fire within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places, within the weekly Bills of Mortality, the Parishes of Saint Mary-le-bon, Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex; and for indemnifying, under certain Conditions, Builders, and other Persons, against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid, contrary to Law, do swear, that, upon receiving Notice of any Building or Wall to be built, or other Builders Work to be done, within the District under my Inspection, not being by Illness or otherwise lawfully prevented, I will, diligently and faithfully, survey the same, and, to the utmost of my Abilities, endeavour to cause the Rules and Regulations, in the said Act prescribed, to be strictly observed; and that without Favour or Affection, Prejudice or Malice.

The Oath.

' So help me GOD.'

And such Surveyor or Supervisor shall, from Time to Time, leave Notice in Writing with the Clerk of the Peace for the County, City, or Liberty, in which his District shall be situated, of the Place of his usual Abode or Residence.

Clerk to leave Notice of his Abode.

LXIII. And it is also hereby further enacted, That before any Building or any Wall, on new or old Foundations, or on Foundations partly new and partly old, within the Limits of this Act, shall, after the said twenty-fourth Day of June, be begun to be built, the Master Workman, or other Person causing such Building or Wall to be built, shall give twenty-four Hours Notice thereof to the Surveyor or Supervisor appointed as aforesaid, within whose District the same shall be; and such Surveyor or Supervisor shall view the said Building or Wall, and see that all the Rules and Regulations in this Act contained are well and truly observed; and such Surveyor or Supervisor, for his Trouble therein, shall be paid by such Master Workman, or other Person causing such Building or Wall to be built, such Sum of Money as a Satisfaction for his Trouble therein, as any two or more of his Majesty's Justices of the Peace for the City, County, or Liberty, in which such Building or Wall is situate, shall, by any Writing under their Hands, order or appoint, not exceeding three Pounds ten Shillings for every new Building of the First Rate or Class of Building;

Notice of Building to be given to Surveyors.

Building; or one Pound fifteen Shillings for every First Rate Building to which any Alteration or Addition shall be made; and not exceeding three Pounds three Shillings for every new Building of the Second Rate or Class of Building, or one Pound ten Shillings for every Second Rate Building to which any Alteration or Addition shall be made; and not exceeding two Pounds ten Shillings for every new Building of the Third Rate or Class of Building, or one Pound five Shillings for every Third Rate Building to which any Alteration or Addition shall be made; and not exceeding two Pounds two Shillings for every new Building of the Fourth Rate or Class of Building, or one Pound one Shilling for every Fourth Rate Building to which any Alteration or Addition shall be made; and not exceeding one Pound ten Shillings for every new Building of the Fifth Rate or Class of Building, or fifteen Shillings for every Fifth Rate Building to which any Alteration or Addition shall be made; and not exceeding one Pound one Shilling for every new Building of the Sixth Rate or Class of Building, or ten Shillings and Sixpence for every Sixth Rate Building to which any Alteration or Addition shall be made; and not exceeding ten Shillings and Sixpence for every new Building of the Seventh Rate or Class of Building, or five Shillings for every Seventh Rate Building to which any Alteration or Addition shall be made; and, in Default of Payment of any of the said several Sums of Money, or such other Sums as the said Justices shall appoint, the same shall, by Warrant of one or more of such Justice or Justices as aforesaid, be levied by Distress and Sale of the Goods and Chattels of such Master Workman, or other Person as aforesaid, together with the reasonable Costs and Charges of such Distress and Sale.

On Default of Notice, Treble Satisfaction to Surveyor, and 20s. Penalty.

LXIV. And it is hereby further enacted, That if any Person shall, after the said twenty-fourth Day of June, begin any such Building, or any such Wall; or if any Person or Persons shall thereafter presume to cut into any Party-wall, without first giving such Notice as aforesaid to the Surveyor or Supervisor within whose District the same is situated, or shall refuse such Surveyor or Supervisor Admittance from Time to Time, at reasonable Hours, for the Purpose of viewing the same; then, every Person so neglecting to give such Notice, or so refusing such Admittance, shall, for every Default therein, forfeit and pay to the said Surveyor or Supervisor Treble the Satisfaction which such Surveyor or Supervisor would have been intitled to receive for his Trouble in viewing such Building or Wall, and seeing the Rules and Regulations of this Act well and truly observed therein, in case such Notice had been given; and shall also, for every such Default, forfeit the Sum of twenty Pounds, to be recovered by any Action, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at Westminster, by any Person or Persons who shall sue for the same; and also every such House, Building, or Wall, so begun to be built, without giving such Notice, or without giving such Admittance to such Surveyor or Supervisor, in case the same be not built in every Respect agreeably to the Regulations of this Act, shall be demolished or amended by Order of the said Mayor, or of two Justices, within whose Jurisdiction the same shall be, in the Manner herein-before directed.

Surveyor to give Information of Irregular Buildings.

LXV. And it is hereby further enacted, That in case the Workmen employed in building any such Building or Wall, or in the cutting into any such Party-wall, shall not well and truly observe the several Rules and Regulations in this Act contained, and from Time to Time conform themselves thereto, the Surveyor or Supervisor within whose District the same is situated, shall, from Time to Time, give Information thereof, as soon as conveniently may be, to the said Mayor of the City of London, or to two or more Justices of the Peace within whose Jurisdiction the same shall be; and the said Mayor or Justices shall proceed thereupon to hear the Matter, and if any Breach of the Rules and Regulations in this Act contained is found to have been committed, the said Mayor or Justices shall proceed to cause such irregular Building or Wall to be demolished or amended in Manner herein-before directed.

50s. Penalty on Workmen offending.

LXVI. And be it further enacted by the Authority aforesaid, That if any Workmen, or Servants to any Master Workman, or other Person or Persons causing any such Building or Wall to be erected within the Limits of this Act, shall wilfully, carelessly, or negligently, and without the Direction, Privy, or Consent of such Master Workman, or Person causing such Building or Wall to be erected, do any Thing in or about such Building or Wall contrary to the Directions of this Act, every such Workman or Servant so offending, upon Conviction thereof before the Mayor of London, or other Justice of the Peace for the said City of London, or before one or more Justice or Justices of the Peace for the said County of Middlesex, or County of Surrey, or the City and Liberty of Westminster, or the Liberty of his Majesty's Tower of London (as the Case shall be), upon the Oath of one or more credible Witnesses or Witnesses (which Oath the said Mayor and every such Justice is hereby impowered and required to administer), or upon his own Confession, shall, for every such Offence, forfeit the Sum of fifty Shillings, one Moiety thereof to be paid to the Overseer or Overseers of the Poor of the Parish, Precinct, or Place, wherein the Offence was committed, for the Use of the Poor only, and the other Moiety thereof to the Informer; and if any such Forfeiture of fifty Shillings be not paid upon and immediately after such Conviction, then the Offender shall, by Warrant under the Hand and Seal of such Mayor or other Justice, be committed to the House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding three Months, nor less than one Month, unless the said Penalty be sooner paid.

Houses or Walls hereafter built to be surveyed within 14 Days after covered in, and Oath made of their Conformity to this Act.

LXVII. Provided also, and it is hereby further enacted, That every Master Workman, or other Person, who shall, after the said twenty-fourth Day of June, build, or cause to be built, any House or other Building, or any Addition to any House or other Building, or any Party-wall or other Wall, or who shall be employed to cut into any Party-wall within the Limits of this Act, shall, within fourteen Days after such House or other Building is covered in, or such Party-wall or other Wall is finished, or the Cutting into any Party-wall is made good, cause the same to be surveyed by the Surveyor or Supervisor within whose District the same is situated; and in case the said Surveyor shall refuse, neglect, or shall, by Illness or otherwise, be prevented surveying such Building, Wall, or other Work, then the same shall be surveyed by any other Surveyor or Supervisor appointed and sworn within the City, County, or Liberty, wherein the said Building, Wall, or other Work is situated; and if such Surveyor or Supervisor shall, upon such Survey, find that

that the same is, to the best of his Judgment and Belief, built, or made good, agreeably to the several Directions in this Act contained, then such Surveyor or Supervisor shall, within fourteen Days after surveying the same, make Oath thereof, by Affidavit in Writing, before the Mayor of the City of London, or some Justice of the Peace for the said City, or for the County of *Middlesex*, the County of *Surrey*, the City and Liberty of *Westminster*, or the Liberty of his Majesty's *Tower of London* respectively, within whose Jurisdiction the said Building or Wall is situated; which Oath such Mayor or Justice is hereby empowered and required to administer: And the said Affidavit shall be filed with the Clerk of the Peace for the County, City, or Liberty, in which the said Building or Wall is situated, within ten Days after the making thereof; and the said Clerk of the Peace shall, for his Trouble therein, be intitled to and receive the Sum of one Shilling, and no more; and if any Master Workman, or other Person causing such Building or Wall to be erected, or such Party-wall to be cut into as aforesaid, make Default in the Premises, by neglecting to cause such Survey to be made, or such Affidavit to be made and filed, he shall, for every such Neglect, forfeit the Sum of ten Pounds; and if such Affidavit be not made and filed within the Space of one Month next after the Recovery of such Penalty, such Master Workman, or other Person as aforesaid, shall forfeit the further Sum of ten Pounds, and so *toties quoties* for every Month, until such Affidavit shall be made and filed; and each of the said Penalties shall be recovered and applied in like Manner as the Penalty herein-after mentioned, and by this Act inflicted on Persons distilling or boiling larger Quantities of Turpentine together than are hereby allowed in Places not hereby allowed.

Oath to be filed.

Builder neglecting to cause such Oath to be made shall forfeit 10*l*. Oath to be made within one Month after Conviction, on Pain of further Penalty of 10*l*.

Surveyor on misbehaving to be discharged, and to be incapable of being again appointed.

King's Palaces, &c. excepted.

When any Building is presented as ruinous, a Hoard to be put up for Safety of Passengers.

If Owners neglect to take down ruinous Houses after Notice, the Mayor and Aldermen, or Overseers of the Poor, may order the same to be taken down or secured;

and may sell the Materials, and satisfy themselves out of the Monies arising by such Sale.

LXVIII. Provided also, and it is hereby further enacted, That if any Surveyor or Supervisor, appointed and sworn in Manner herein-before directed, shall, at any Time, wilfully neglect his Duty, or behave himself negligently or unfaithfully in the Discharge thereof, and the same being, upon Complaint thereof, made appear to the Mayor and Aldermen of the said City of London, or to the Court of Sessions by whom he was appointed; such Surveyor or Supervisor shall, by the said Mayor and Aldermen, or by the said Court of Sessions (as the Case may be), be forthwith discharged from his said Office, and shall for ever afterwards be incapable of being again appointed a Surveyor or Supervisor for the Purposes aforesaid.

LXIX. Provided also, and it is hereby further enacted, That nothing in this Act contained shall extend to any of his Majesty's Royal Palaces, or to any House or Building being in the Possession of his Majesty, his Heirs and Successors, or employed for his Majesty's Use or Service; or to her Majesty's Palace, or to any House or Building in the Possession of her Majesty, or employed for her Use or Service.

LXX. And whereas Houses and Buildings within the Limits aforesaid are often, either from litigated Titles thereto, or the Obstinacy, Neglect, or Poverty, of the Owners thereof, or of the Parties interested therein, in so ruinous a Condition, that Passengers thereby are in Danger of their Lives or Limbs from the Falling thereof, or of the Bricks or Timber therefrom; be it therefore enacted by the Authority aforesaid, That if any Presentment shall hereafter be made by an Inquest or Grand Jury in London, or by any Annoyance Jury within the City and Liberty of *Westminster*, or by the Jury sworn at the Court Leet held by the Sheriff in his Turn for any Hundred or Place, or by any other Jury or Inquest sworn within any other Part of the Limits aforesaid, that any House or Building within the same Limits, or any Part thereof, is in a ruinous Condition, it shall be lawful for the Court of Mayor and Aldermen, in respect of any such House or Building within the said City of London, and the Liberties thereof, or for the Churchwardens or Overseers of the Poor for the Time being of such Parish, Precinct, or Place, in which such House or Building is situated (not being in the City of London, or the Liberties thereof), and the said Court, and every such Churchwarden and Overseer of the Poor, is and are hereby required, on Notice of any such Presentment being made, and a Copy thereof being laid before them or him respectively, to cause, with all convenient Speed, a proper and sufficient Hoard to be put up for the Safety of all Passengers passing thereby, and to cause Notice in Writing to be given to the Owner or Owners, or other Person or Persons interested therein, if he, she, or they, can be found; and if not, to cause such Notice in Writing to be affixed to or upon the Door, or other notorious Part of such House or Building so presented to be in such ruinous Condition, to repair the same, or to pull down such Building, as the Case may require, within fourteen Days then next ensuing: And if such Owner or Owners, or other Person or Persons interested in any such House or Building, do not begin to repair or take down the same, within the said fourteen Days after such Notice so given or affixed as aforesaid, and complete such Repairs, or take down the same as soon as the Nature of the Case will admit; then, Oath being made before the said Mayor, or a Justice of the Peace for the said City of London, or County of *Middlesex* or *Surrey*, or City and Liberty of *Westminster*, or Liberty of his Majesty's *Tower of London*, as the Case may be (which Oath every of them the said Mayor and Justices is hereby empowered and required to administer), of such Notice having been so given, or affixed as aforesaid, the said Court of Mayor and Aldermen, by and out of the Cash in the Chamber of London, and also every such Churchwarden and Overseer of the Poor, by and out of the Monies in his Hands, are hereby severally authorized and required, with all convenient Speed, to order and cause such House or Building, so presented to be in a ruinous Condition, or so much thereof as the said Court, or the said Churchwardens or Overseers of the Poor, find necessary for the Safety of Passengers, to be taken down and secured, in such Manner as shall, from Time to Time, be requisite; and to sell and dispose of such of the Materials as the said Court of Mayor and Aldermen, or the said Churchwardens or Overseers of the Poor, shall judge necessary and expedient; and out of the Monies arising by the Sale thereof to reimburse, repay, and satisfy, to themselves, and every Person by them respectively employed for the Purposes aforesaid, all the Charges of putting up every such Hoard, and of taking down and securing all or any Part of every such House or Building, so taken down or secured as aforesaid, and of selling the said Materials as aforesaid, or so much thereof as the Monies arising by such Sale will extend to pay; and shall account for and pay the Surplus of the Monies arising by such Sale (if any be) to the Owner of every such House or Building, upon personal Demand thereof made by such Owner; and if no such Demand be made of any such Overseer or Overseers before another or other Overseer or Overseers of the Poor of the said Parish, Precinct,

Precinct, or Place, be appointed, then such Overplus shall be added to the Monies raised and collected by virtue of the Rates made for the Relief of the Poor of the said Parish, Precinct, or Place, and accounted for as such.

Overplus arising by the Sale to be paid to Owners any Time within 6 Years, on Demand;

but if Sale of old Materials be insufficient, Owners or Occupiers to make good the Deficiency.

Landlords to allow Deficiencies paid by the Tenants.

LXXI. Provided nevertheless, That any such Owner, his or her Executors or Administrators, shall and may, at any Time or Times within the Term of six Years then afterwards, be intitled to have and receive such Overplus from the Churchwardens or Overseers of the Poor for the Time being of such Parish, Precinct, or Place, within ten Days after Demand thereof personally made by such Owner, his or her Executors or Administrators; and every such Churchwarden or Overseer is hereby required to pay the same accordingly out of any Monies raised, or to be raised, by any Rate or Rates for the Relief of the Poor, and shall be allowed the Payment thereof in any Account to be by him made with the Vestry, Inhabitants, and Parishioners of the said Parish, Precinct, or Place, or the future Overseer or Overseers thereof: And if it happens that the Monies arising by such Sale shall fall short, and are deficient to repay and satisfy all such Charges, then such Deficiency shall, from Time to Time, be paid by the Owner or Owners of every such House or Building, if known, and to be met with; and if such Owner or Owners, on Demand thereof, neglect or refuse to pay the same, then such Deficiency may be levied by Warrant under the Hand and Seal of the Mayor of the said City of London for the Time being, or any other Justice of the Peace for the same City, or under the Hands and Seals of two or more Justices of the Peace for the County of *Middlesex*, or County of *Surrey*, or City and Liberty of *Westminster*, or Liberty of his Majesty's *Tower of London* (as the Case shall be), by Distress and Sale of the Goods and Chattels of such Owner or Owners, if any such can be found: And if no such Owner or Owners can be met with, or, being met with, shall not on Demand pay the said Deficiency, and no sufficient Distress of his, her, or their Goods and Chattels can be met with wherefrom such Deficiency of such Costs and Charges may be levied and recovered; then the Person or Persons who shall at any Time then after occupy any such House or Building, or the Ground where the same stood, is and are hereby required and authorized to pay and deduct the same out of the Rent thereof; and if he, she, or they, neglect or refuse to pay such Deficiency of Charges, then the same shall, by Warrant under the Hand and Seal of the said Mayor of the said City for the Time being, or any other Justice of the Peace for the same City, or under the Hands and Seals of two or more such Justices of the Peace as aforesaid, be levied by Distress and Sale of the Goods and Chattels of any Occupier or Occupiers of the Premises, together with the Costs of every such Distress and Sale; and the Owner or Owners of the Premises is and are hereby required to allow to every such Occupier or Occupiers all such Deficiencies and Charges which he, she, or they, shall so pay, or which shall be recovered or levied by Distress and Sale from him, her, or them, as aforesaid; out of any Rent which shall become due for the said Premises, or any Part thereof; and every Occupier paying any such Deficiency and Charges shall be acquitted and discharged for so much Money as he, she, or they, so pay, in the same Manner as if the same had been actually paid to such Person or Persons to whom his, her, or their Rents were due, and should have been paid; and all Money received or recovered on the Account aforesaid, for or in respect of any such House or Building within the City of *London*, or the Liberties thereof, shall be paid to the Chamberlain of the said City, and be by him, from Time to Time, placed to the Credit of the Cash of the said City of *London*; and all Money on the Account aforesaid from Time to Time received or recovered, for or in respect of any such House or Building in any Part of the Limits aforesaid, other than the said City of *London*, and the Liberties thereof, shall be paid to the Churchwardens or Overseers of the Poor for the Time being of the Parish, Precinct, or Place, where such House or Building so presented is situated, and shall be placed to the Account of the said Parish, in Aid of such or a like Rate or Fund, out of which the Expences and Charges so received or recovered were originally disbursed.

Not more than 10 Gallons of Turpentine may be distilled at once in Houses contiguous to others.

Penalty.

Shipwrights, &c. excepted.

Fire Engines and Ladders to be kept in known Places,

LXXII. And whereas the distilling Turpentine, and the drawing off the Oil of Turpentine and Rosin by distilling Turpentine, and the boiling the said Oil and Turpentine together for making Varnish, within the Limits aforesaid, may prove of dangerous Consequence to the Neighbourhood where every such Practice is used: For preventing thereof for the future, be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, it shall not be lawful for any Person or Persons to distil or boil any Turpentine, or to draw any Oil of Turpentine and Rosin by distilling Turpentine, or to boil any Oil and Turpentine together, above the Quantity of ten Gallons at one Time, of all or any of the said Commodities, within the Limits aforesaid, in any Workhouse or Place contiguous to any other Building, or in any Place nearer to any other Building than the Distance of fifty Feet, at the least, upon Pain that every Person offending therein shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds; every of which Forfeitures shall and may be recovered, with Treble Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Effoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed; one Moiety whereof shall be to the Use of the Poor of the Parish, Precinct, or Place, wherein the Offence was committed, and the other Moiety thereof to such Person or Persons as shall inform or sue for the same.

LXXIII. Provided always, That nothing in this Act contained shall extend to prevent Shipwrights, Barge-builders, Boat-builders, or Mast-makers, or other Persons employed in building or repairing Ships, Barges, Boats, or other Vessels, near the River *Thames*, from boiling or mixing Oil and other Materials for the Purpose of paying Ships, Barges, Boats, or Masts.

LXXIV. And whereas the having a sufficient Number of Fire Engines kept in known publick Places, and at convenient Distances from each other, and ready to be brought forth as Occasion may require; and the supplying such Engines with Plenty of Water; and the giving Encouragement to Engineers and others to bring forth, use, and work such Engines, may tend greatly to lessen the Mischiefes happening by Fire; and the having proper Ladders kept in known publick Places, ready to be brought forth, may facilitate the Escape of the Inhabitants from Houses on Fire; be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, it shall and may be lawful to and for the Churchwardens

wardens of every Parish, and to and for the Overseers of the Poor of every Precinct and Place, not having any Churchwarden, within the Limits aforesaid, and they are hereby respectively required, from Time to Time, for ever, to make, place, and fix, at the Charge of such respective Parish, Precinct, or Place, upon the Mains and Pipes belonging to any Waterwork whatsoever within the Limits aforesaid, such and so many Stopblocks of Wood, with a Wood Plug, or such and so many Firecocks, to go into each Main or Pipe, and to be placed at such Distances in each and every Street or Place, as such Churchwardens or Overseers of the Poor respectively for the Time being shall direct; and that the Top of every such Stopblock or Firecock shall be even with the Pavement of each Street or Place, to the Intent such Plugs or Firecocks may, upon Occasion of any Fire, be opened to let out the Water without Loss of Time in digging down to the Pipes; and that all and every such Churchwardens or Overseers of the Poor respectively shall have Power, and are hereby required, from Time to Time, to fix any Mark or Writing on the front of any House or Houses over against or nearest to the Place where such Stopblocks, Plugs, or Firecocks, respectively lie, or are placed, for the better making known where all and every such Stopblocks, Plugs, or Firecocks lie; and shall also keep an Instrument or Key in every such House where every such Mark shall be, to open the Stopblock, Plug, or Firecock; and shall keep in such House a Pipe for the Water to come thereout, to be made use of as Occasion may require; and all such Stopblocks and Firecocks shall be kept in Repair at the Charge of each Parish, Precinct, or Place, where the same are placed; and such Plugs shall be kept in Repair by the Owners of the Mains and Pipes where the same are fixed; and whenever the Owners of any Waterworks shall afterwards remove, change, or alter the said Mains or Pipes, then, and in every such Case, the Owner or Owners of every such Main or Pipe shall, at his or their own proper Costs and Charges, place and fix the same, or the like Stopblocks, Plugs, and Firecocks, upon every such new Main or Pipe, to be placed where the Churchwardens of the Parish, or Overseers of the Precinct or Place, not having a Churchwarden, for the Time being, shall direct; and in every such Case the Instrument or Key, and Pipe, shall be removed to the House opposite or nearest to the Place to which such Stopblock, Plug, and Firecock is removed; and every such Churchwarden or Overseer respectively shall cause a like Mark or Writing to be fixed against every such House.

and Firecocks to be fixed on the Mains.

Marks near the Place where Firecocks lie:

Instrument or Key to be kept there.

LXXXV. And be it further enacted by the Authority aforesaid, That every Parish within the Limits aforesaid, shall, from Time to Time, and at all Times after the said twenty-fourth Day of June, have, and keep in good Order and Repair, and in some known and publick Place within each Parish, a large Engine, and also an Hand Engine, to throw up Water for the extinguishing of Fires; and also shall provide, keep, and maintain, one Leather Pipe at least, with a Socket of the same Size as the Plug or Firecock, and a Stand-cock or Suction-pipe, to the Intent the Socket may be put into the Pipe, to convey the Water without Loss, and without the Help of Buckets, into the Engine; and shall also have and keep, in some known and publick Place within each Parish, three or more proper Ladders, of one, two, and three Story high, for assisting Persons in Houses on Fire to escape therefrom; and in Default of making, placing, fixing, and continuing, such Stopblocks or Firecocks on the several Mains and Pipes, and also in Default of having and keeping in good Repair such large Engine, Hand Engine, and Leather Pipe or Pipes, Socket and Stand-cock, and Suction-pipe, and such Ladders as aforesaid, every Churchwarden of such Parish, and every Overseer of any such Precinct or Place not having a Churchwarden, making Default in all or any of the Premises, and being convicted thereof before two of his Majesty's Justices of the Peace for the said City of London, or for the County of Middlesex or Surrey, or Liberty where the same may happen (as the Case may be), shall forfeit and pay the Sum of ten Pounds, one Moiety thereof to the Informer, and the other Moiety thereof to the Surveyor or Surveyors who shall be then appointed, pursuant to this present Act of Parliament, for the District within which such Parish, Precinct, or Place, where such Default shall be made, doth lie; to be levied and recovered by Distress and Sale of the Goods and Chattels of such Churchwardens and Overseers respectively, so convicted of such Default as aforesaid.

Engines and Ladders to be kept by every Parish.

10l. Penalty on Churchwardens for Default;

and may be levied by Distress.

LXXXVI. And be it further enacted by the Authority aforesaid, That the Turncock belonging to the Waterwork, whose Water shall be found on, or shall first come into the Main or Pipe where any Plug shall be opened, at any Fire within the Limits aforesaid, shall be paid any Sum not exceeding ten Shillings by the Churchwardens or Overseers of the Poor of such respective Parish, Precinct, or Place, where such Fire may happen; and that the Engine-keeper which first brings a Parish Engine, or other large Engine, to help to extinguish any Fire happening within the Limits aforesaid, if in good Order and complete, with a Socket, Hole, Leather Pipe, Stand-cock, and Suction-pipe, shall be paid any Sum not exceeding thirty Shillings; the Keeper of the second Parish Engine, or other large Engine, which shall be next brought in such Order, and so complete, to help to extinguish any such Fire, shall be paid any Sum not exceeding twenty Shillings; and the Keeper of any Parish Engine, or other large Engine, which shall be the third of such Engines, brought in such Order, and so complete, to any such Fire, shall be paid any Sum not exceeding ten Shillings; every such Payment to be made by the Churchwardens of each Parish, or by the Overseers of the Poor of every such Precinct or Place not having any Churchwarden (as the Case may be), where any such Fire shall happen; and in Default of Payment thereof, such Reward shall be levied and recovered from the said Churchwardens and Overseers respectively, by Distress and Sale of the Goods and Chattels of every such Churchwarden and Overseer, in the same or like Manner as the Penalty or Forfeiture of ten Pounds is herein-before directed to be levied and recovered.

Fees to the Turncock whose Water first comes into a Main or Pipe at a Fire; to the Engine-keeper;

to the Second Engine-keeper; and to the Third Engine-keeper;

LXXXVII. Provided always, and it is hereby further enacted by the Authority aforesaid, That no such Reward shall be paid to any Turncock or Engine-keeper, by the Churchwarden of any Parish, or Overseer of the Poor of any Precinct or Place aforesaid, where any Fire may happen, without the Approbation and Direction of the Alderman of the Ward wherein such Parish, Precinct, or Place, is situate, or his Deputy, or of two of the Common Councilmen of the same Ward for the Time being, if such Fire happens within the City of London, or the Liberties thereof; or without the Approbation and Consent of one or more Justice or Justices of the Peace in and for the said County of Middlesex, or County of Surrey, or Liberty

But no Reward to be paid without the Approbation of an Alderman, &c.

where the same may happen (as the Case may be), residing within such Parish, Precinct, or Place, where such Fire happens; and if there be not any Justice or Justices of the Peace residing in such Parish, Precinct, or Place, then of such Justice or Justices of the Peace residing in the Parish or Place near or next adjoining, if such Fire happens any where within the Limits of this Act, out of the said City of London, and the Liberties thereof.

Where any Rewards for Chimnies on Fire have been paid by the Churchwardens,

Chimney

they are to be reimbursed by Occupiers, as the Mayor, &c. shall direct.

Mayor and Justices enabled the to execute their Duty.

United Parishes to be deemed one.

Large Parishes may have more than one large Engine, &c.

Fire Engines, &c. to be paid for out of the Poor's Rates.

‘ LXXVIII. And whereas many of the Parishes within the Limits of this Act have been frequently put to considerable Expences, occasioned by the Neglect of the Inhabitants, as well Lodgers and Inmates as Housekeepers, in not causing their Chimnies to be duly swept, by Means whereof Alarms of Fire are frequently made, to the great Terror and Danger of his Majesty’s Subjects, which probably would be prevented, if such Inhabitants were obliged to defray and bear the Charges and Expences attending such their Neglects, or some reasonable Part thereof; be it therefore enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of June, in all Cases where any Reward or Rewards, or other Recompence, by this Act made payable, shall be borne and paid by any Churchwarden or Overseer of the Poor, for or on account of any Fire being in a Chimney only, or first beginning in and occasioned by the taking Fire of any Chimney only, the Inhabitant or Inhabitants, Occupier or Occupiers, of any Room or Apartment to which any such Chimney belongs, being a Lodger or Inmate to or with any Tenant, Renter, or Holder of any House or Building, of which such Room or Apartment is Part, or, if such Chimney belong not to any such Lodger or Inmate, then the Tenant, Renter, or Occupier of the House or Building wherein any such Fire as last-mentioned first begins, shall reimburse and repay to the Churchwarden or Overseer of the Poor all and every such Reward and Rewards, or other Payments, by him or them made, pursuant to the Directions of this Act, or such Part thereof, as the Mayor, or other Justice of the Peace, of the said City of London, or Justice of the Peace for the Liberty of his Majesty’s Tower of London, or Justice of the Peace for the County of Middlesex, or County of Surrey, or for the City and Liberty of Westminster (as the Case may be), upon the Application and Complaint of such Churchwarden or Overseer of the Poor, and hearing the Party or Parties complained against, shall, under his Hand and Seal, award and direct: And to the End the said Mayor, or other Justice aforesaid, may be the better enabled to award and direct what may in any such Case be just and reasonable, the said Mayor for the Time being, and every such Justice, shall and may summon before him, after any such Complaint made, the Party and Parties complained against, and all Persons fit to give Evidence touching the Premises, of whom he shall have Notice or Information, and shall and may examine them, and every of them, upon Oath (which Oath the said Mayor, and every such Justice, is hereby impowered and required to administer, without Fee or Reward); and if the Party or Parties complained against, being summoned, do not appear, the said Mayor, and every such Justice of the Peace, shall and may proceed to examine the Matter of the Complaint, and such Evidence as is produced, and to make such Award and Direction thereupon as shall be just, and as if the Party or Parties making such Default of Appearance had been present, and heard, in his, her, or their Defence; and if any Sum or Sums of Money, so awarded and directed to be reimbursed or repaid to any such Churchwarden or Overseer of the Poor, be not so reimbursed or repaid within fourteen Days after Demand thereof made, it shall and may be lawful to and for every such Churchwarden or Overseer, by Warrant under the Hand and Seal of such Mayor, or other Justice (which Warrant the said Mayor, and every such Justice, is hereby authorized to make), to levy every such Reward and Rewards, or other Recompence, so paid, or such Part thereof as shall have been so awarded and directed, by Distress and Sale of the Goods and Chattels of the Party or Parties making Default of Payment, or of any Goods or Chattels found in the Room or Apartment to which such Chimney where such Fire began belongs, or in any other Part of any House or Building whereof such Room or Apartment is Part.

‘ LXXIX. And, soasmuch as several of the Parishes within the City of London were, after the great Fire which happened in the Year of our Lord Christ one thousand six hundred and sixty-six, united together, be it enacted by the Authority aforesaid, That any two or more of the said Parishes so united, shall, for the Purposes of this Act, be deemed one Parish only.

‘ LXXX. Provided nevertheless, and it is further enacted, That in case the Vestries of any of the said united Parishes, or of any other Parish within the Limits aforesaid, at any Time conceive it necessary for the said Parish, in respect of the Largeness thereof, to have more than one great Engine, or Hand Engine, it shall and may be lawful for them to provide two or more great Engines or Hand Engines, at the Parish Charge; and that the same Engines, and every of them, shall be under the like Regulations and Encouragements as the other Engine or Engines directed to be provided by this Act are under.

‘ LXXXI. And, in order to raise Money to defray the necessary Charges of providing and maintaining such Engine, Stopblocks and Firecocks, and Keys, and other Implements and Materials, and such Ladders as aforesaid, and the Payment of the Rewards or Gratuities directed by this Act, be it enacted by the Authority aforesaid, That the Churchwardens and Overseers of the Poor of the said several Parishes, Precincts, and Places, within the Limits of this Act, or the major Part of them, with the Consent of the Majority of such Inhabitants as shall be, at any Vestry, or other publick Meeting of such Parish, Precinct, or Place, duly assembled, shall and may, from Time to Time (as often as there may be Occasion), out of the Monies raised or received, or to be raised or received, by any Rate or Rates made, or to be made, for Relief of the Poor of every such Parish, Precinct, or Place respectively, or by any especial Rate or Rates to be made for the Purposes of this Act, pay, apply, and dispose of, such competent Sum and Sums of Money as may be requisite for the Ends aforesaid, in like Manner as by Law they may do for the Maintenance and Relief of the Poor of their respective Parishes, Precincts, or Places; and every such especial Rate or Rates which shall be made, as aforesaid, the same being allowed and confirmed in the like Manner as the Rates made for the Relief of the Poor are, or ought to be, allowed or confirmed, shall be levied and recovered in the same Manner as the Rates made for the Relief of the Poor now may, or ought to be, levied and recovered, subject to the like Appeal as in Cases of Rates made for the Relief of the Poor; and the said

Officers

Officers shall be accountable for the same, in like Manner as they are accountable for the Money by them collected for the Relief of the Poor, and shall be liable to the like Pains and Commitments for not accounting for the same, and to the like Distress and Penalties for not paying the Monies by them collected, levied, or received, and remaining in their Hands, as Overseers of the Poor are, by all or any of the Laws of this Land, liable to, for not accounting for, or not paying, Monies collected by virtue of any Rates for Relief of the Poor.

LXXXII. And whereas the several Offices for insuring Houses against Loss by Fire retain in their several Services, and give Coats and Badges, and other Rewards, unto Watermen, for their Service and Assistance in and towards extinguishing of Fire, and who are to be always ready when wanted, and are provided with various Sorts of Poles, Hooks, Hatchets, and several other Instruments and Things, at the Charge of the said respective Insurance Offices for the extinguishing of Fire; which Watermen so retained are, by Experience, found to venture much further, and to have Skill to give, and do give, at Fires happening within the Limits aforesaid greater Help than other Persons not used to come into Danger; be it further enacted by the Authority aforesaid, That the Watermen for the Time being so retained by, and belonging to, every such Insurance Office, within the Limits aforesaid, not exceeding thirty for each Office, shall be free from being impressed, or liable to be compelled, to go to Sea, or serve as Mariners, or as Soldiers on Land, their Names and Places of Abode being registered and entered with the Secretary, or other Officer of the Admiralty Office.

Watermen retained by Insurance Offices not to be impressed.

LXXXIII. And, in order to deter and hinder ill-minded Persons from wilfully setting their House or Houses, or other Buildings, on Fire, with a View of gaining to themselves the Insurance Money, whereby the Lives and Fortunes of many Families may be lost or endangered; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Governors or Directors of the several Insurance Offices for insuring Houses or other Buildings against Loss by Fire, and they are hereby authorized and required, upon the Request of any Person or Persons interested in or intitled unto any House or Houses, or other Buildings which may hereafter be burnt down, demolished, or damaged by Fire, or upon any Grounds of Suspicion that the Owner or Owners, Occupier or Occupiers, or other Person or Persons who shall have insured such House or Houses, or other Buildings, have been guilty of Fraud, or of wilfully setting their House or Houses, or other Buildings, on Fire, to cause the Insurance Money to be laid out and expended, as far as the same will go, towards rebuilding, reinstating, or repairing, such House or Houses, or other Buildings, so burnt down, demolished, or damaged by Fire; unless the Party or Parties claiming such Insurance Money shall, within sixty Days next after his, her, or their Claim is adjusted, give a sufficient Security to the Governors or Directors of the Insurance Office where such House or Houses, or other Buildings, are insured, that the same Insurance Money shall be laid out and expended as aforesaid; or unless the said Insurance Money shall be, in that Time, settled and disposed of to and amongst all the contending Parties, to the Satisfaction and Approbation of such Governors or Directors of such Insurance Office respectively.

Money insured on Houses burnt how to be applied.

LXXXIV. And whereas Fires often happen by the Negligence and Carelessness of Servants, be it therefore enacted by the Authority aforesaid, That if any menial, or other Servant or Servants, through Negligence or Carelessness, shall fire, or cause to be fired, any Dwelling-house, or Out-house or Houses, or other Buildings, whether within the Limits aforesaid or elsewhere, within the Kingdom of Great Britain, such Servant or Servants, being thereof lawfully convicted by the Oath of one or more credible Witnesses, or Witnesses, made before two or more of his Majesty's Justices of the Peace, shall forfeit and pay the Sum of one hundred Pounds unto the Churchwardens or Overseers of such Parish where such Fire shall happen; to be distributed amongst the Sufferers by such Fire, in such Proportions, as to the said Churchwardens shall seem just: And in case of Default or Refusal to pay the same immediately after such Conviction, the same being lawfully demanded by the said Churchwardens; that then, and in such Case, such Servant or Servants shall, by Warrant under the Hands and Seals of two or more of his Majesty's Justices of the Peace, be committed to the common Gaol, or House of Correction, as the said Justices think fit, for the Space of eighteen Months, there to be kept to hard Labour.

Servants by Carelessness firing a House, to forfeit 100 l. or be imprisoned 18 Months.

LXXXV. And be it further enacted by the Authority aforesaid, That, upon the breaking out of any Fire within the Limits aforesaid, all Constables and Beadles, upon Notice thereof, shall immediately repair to the Place where the said Fire shall happen, with their Staves, and other Badges of their Authority; and shall be aiding and assisting, as well in extinguishing the said Fires, and causing People to work at the Engines, as also in preventing Goods being stolen; and shall seize and apprehend all ill-disposed Persons that they shall find stealing or pilfering from the Inhabitants; as also that the said Constables and Beadles shall give their utmost Assistance to help the Inhabitants to remove their Goods.

Constables and Beadles, on Notice, to repair to Buildings on fire.

LXXXVI. And be it further enacted by the Authority aforesaid, That no Action, Suit, or Process whatever, shall be had, maintained, or prosecuted, against any Person in whose House, Chamber, Stable, Barn, or other Building, or on whose Estate any Fire shall, after the said twenty-fourth Day of June, accidentally begin, nor shall any Recompence be made by such Person for any Damage suffered thereby; any Law, Usage, or Custom, to the contrary notwithstanding: And in such Case, if any Action be brought, the Defendant may plead the General Issue, and give this Act, and the special Matter in Evidence, at any Trial thereupon to be had; and in case the Plaintiff become nonsuited, or discontinue his Action or Suit, or if a Verdict pass against him, the Defendant shall recover Treble Costs; provided that no Contract or Agreement made between Landlord and Tenant shall be hereby defeated, or made void.

No Action to lie against a Person where the Fire accidentally begins.

LXXXVII. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be recovered 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 of Form in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity afterwards done by the Party or Parties making

Distress not unlawful for want of Form, &c.

making such Distress; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage only, by Action on the Case, and not by any other Action whatever.

Plaintiff not to recover if Tender of sufficient Amends be made, &c.

LXXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That no Plaintiff or Plaintiffs shall recover in any Action, for any such Irregularity, or other Proceedings, if Tender of sufficient Amends be made by or on the Behalf of the Party or Parties who committed, or caused to be committed, any such Irregularity or wrongful Proceeding before such Action be brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by the Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into the Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given, in and by such Court, as in other Actions when the Defendant is allowed to pay Money into Court.

Provisions on 12 Geo. III. c. 73 discharged, on amending Buildings in such Manner as shall be directed by two of the Surveyors.

LXXXIX. And whereas by the said recited Act of the twelfth Year of his present Majesty's Reign, various Penalties are inflicted upon Persons who should offend against the said Act: And whereas, since the passing the said Act, there has been a great Increase of Buildings within the Limits aforesaid, and many of such Buildings are not in every Respect built according to the Directions of the said Act, whereby various Penalties have been incurred, and several Persons are or may be under Prosecution for the same: And whereas the Owners of such Buildings, and the several Builders, or Workmen employed therein, are respectively willing to make the same as secure against Fire, and as conformable to the Directions contained in this Act, as the Nature of each Case will admit; be it therefore enacted by the Authority aforesaid, That in every Action, Bill, Complaint, Suit, or Information, now depending, or that shall hereafter depend, in any of his Majesty's Courts of Record at Westminster, against any such Owner, Builder, or Workman, or Person or Persons causing any such Building to be erected or built, or any other Person or Persons for the Recovery of any Penalty incurred, or supposed to be incurred, by the said Act, it shall be lawful for the Court where the same is or may be depending, and such Court is hereby required and empowered, on the Application of the respective Defendants, to make a Rule for the Plaintiff in any such Action, Bill, Complaint, Suit, or Information, to deliver to such Defendant or Defendants, or his, her, or their Attorney in the Cause, an Account, in Writing, under the Hands of the Plaintiff, or his Attorney, of the particular Defect or Irregularity in every such Building, whereby each Penalty is incurred, or supposed to be incurred, and to make an Order for staying the Proceedings in such Action, Suit, or Information, until such Account in Writing shall be delivered; and after such Account shall have been delivered as aforesaid, it shall and may be lawful to and for such Defendant or Defendants, either to defend such Action or Actions, as if this Act had not been made, or otherwise, in case he or they shall not chuse to defend the same, to enter into a Rule of the same Court for making good or reforming such Irregularities and Defects (if any), and for rendering such Building as secure against Fire, and as conformable to the Directions of this Act, in such Manner, and within such Time, as two or more of the Surveyors, hereinbefore directed to be appointed in the County, City, or Liberty, wherein the same is situate, shall, by any Writing, under their Hands, direct and appoint: And upon such Rule being entered into by such Defendant or Defendants, and on Payment to the Plaintiff of the Costs in such Action, Suit, or Information, to be taxed by the proper Officer of such Court, the said Court shall order all further Proceedings to be stayed in such Action, Suit, or Information, until the Time appointed by the said Surveyors for the Purposes aforesaid shall be expired; and after the Expiration thereof, such Court is hereby required and empowered, on Application or Motion by or on the Behalf of such Owner, Builder, or Workman, or other Person or Persons aforesaid, and on Proof by Affidavit to the Satisfaction of such Court, that the Defects and Irregularities complained of are made good or reformed, and the Building of such House or Houses rendered as secure against Fire, and as conformable to the Directions of this Act, in such Manner, and within such Time, as such two or more of the said Surveyor or Supervisors shall have appointed, by such Writing as aforesaid, to order Proceedings to be peremptorily stayed in such Action, Suit, or Information: And the Defendant or Defendants shall, from thenceforth, be for ever indemnified and discharged of, from, and against all Penalties and Forfeitures, incurred or to be incurred, for or by reason of not having originally built such Party-walls or Buildings, pursuant to the Directions of the said Act, or for or by reason of any other Defect or Irregularity, whereby such Houses or Party-walls are otherwise built than pursuant to such Directions; any Thing in the said Act contained to the contrary notwithstanding.

Rule being entered into by Defendant, all Proceedings to be stayed, &c.

Defendant indemnified from all Forfeitures, &c.

Proviso.

XC. Provided, That if no such Application shall be made to Court before the End of the next Term after the Expiration of such Time as shall be appointed by the said Surveyors as aforesaid, for the Purposes aforesaid; or if, upon such Application as aforesaid, such Proof shall not be made by the Defendant or Defendants to the Satisfaction of the said Court as aforesaid, then the said Plaintiff or Plaintiffs shall be at Liberty to proceed in such Suit as if this Act had not been made.

How the Court shall proceed where any Rule shall be entered into, &c.

XCI. And it is further declared by the Authority aforesaid, That the Court or Courts, where any such Rule as aforesaid shall be entered into pursuant to the Directions in this Act contained, shall, and are hereby required to proceed against the Party or Parties who shall have entered into any such Rule, and have refused or neglected to perform the same, as for a Contempt of the said Court; and shall, on Motion, issue the like Process of Attachment or otherwise, as is usually issued against any Suitor or Suitors of such Court for Contempt of a Rule of Court.

Not to extend to indemnify Persons against whom Judgment shall be given, &c. Irregular Buildings erected since

XCII. Provided always, That this Act, or any Thing herein contained, shall not extend to indemnify any Person against whom final Judgment shall have been given before the passing of this Act, in any Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record, grounded on the said Act, made in the twelfth Year of his present Majesty's Reign, for the Recovery of any Penalty inflicted by the said Act.

XCIII. And whereas, since the passing the said Act, made in the twelfth Year of his present Majesty's Reign, many Houses and other Buildings have been erected within the Limits aforesaid, not conformable

to the Regulations of the said Act, but no Prosecutions have been, and probably may not be, commenced against the Builders thereof: And whereas it is reasonable that the same should be made as secure against Fire, and as conformable to the Directions in this Act, as the Nature of each Case will admit: And whereas wooden Buildings have been erected on the Tops and other Parts of Houses, and many Bow-windows and Projections have been made contrary to the said Act, though no Prosecutions have been nor may probably be commenced for any Penalties thereby incurred: And whereas such Wooden Buildings as have been so erected on the Tops or other Parts of the said Houses, and such Bow-windows or Projections ought to be taken down and removed, or some Alterations or Amendments ought to be made therein; be it therefore enacted by the Authority aforesaid, That if any three or more Surveyors or Supervisors, to be appointed and sworn in Manner herein-before directed, shall certify, in Writing under their Hands, to the Court of Mayor and Aldermen of the City of London, or to the Court of Quarter Sessions within whose Jurisdiction any such House or Building is situated, that any House or Building has been erected since the passing the said Act, within the Limits aforesaid, not conformable to the said Act, or that any such Wooden Building has been erected on the Tops or other Parts of Houses, or that any Bow-windows or Projections have been made contrary to the said Act, for which no Prosecutions have been commenced, so as to bring them within the Provision herein-before made respecting the same, and shall certify in what Manner the same may be reformed, it shall be lawful for the said Court of Mayor and Aldermen, or Court of Quarter Sessions respectively, within whose Jurisdiction the said House or Building, or Bow-window or Projection, is situated, if they think fit, to make an Order for amending or reforming such House or Building accordingly, and for making the same more secure against Fire, or more nearly conformable to the Regulations of this Act; and for taking down and removing, or for altering or amending, such Wooden Buildings, and such Bow-windows or Projections, as aforesaid, by the Master Builder, Master Bricklayer, or Master Workman, or Person who caused the same to be erected, who shall be expressly named in such Order: And every such Order of the said Court of Mayor and Aldermen, or Court of Sessions, shall be, by the Town Clerk of the City of London, or by the Clerk of the Peace (as the Case may be), entered and filed as of Record, in the said Court where such Order was made; for the Entry and Filing whereof, and for every Copy thereof, the said Town Clerk, or Clerk of the Peace, shall be paid by the Person applying for the same the Sum of one Shilling, and no more, if the same do not exceed one hundred Words, and if the same exceed one hundred Words, then after the Rate and Proportion of one Shilling for every one hundred Words; and a Copy of the said Order shall be delivered to the said Person or Persons in the said Order named; or shall be left at his or their last or usual Place of Abode, or with the Tenant in Possession of the House or Building, in the same Order mentioned, or shall be affixed upon the Door, or other notorious Part, of the said House or Building; and within the Space of nine Months next after the Copy of such Order shall have been so delivered, or left or affixed as aforesaid, the said Person or Persons therein named shall make good all the Defects and Irregularities in such Order specified, and either take down and entirely remove such wooden Building or Buildings, or Bow-window or Projection, or otherwise alter, reform, or amend the same, in such Manner as shall be directed by such Order; and in case the said Order shall not, in all Respects, be fully performed and executed within the Space of nine Months next after the Copy thereof shall have been so delivered, or left, or affixed as aforesaid; then the Person or Persons therein named, being the Master Builder, Master Bricklayer, or Master Workman, or other Person or Persons who caused such House or Building, or Bow-window or Projection, to be erected, shall forfeit the Sum of fifty Pounds; to be recovered and applied in like Manner as the Penalties herein-before inflicted for distilling a larger Quantity of Turpentine together than is by this Act allowed, in Places not allowed by this Act, are herein-before directed to be recovered and applied; and so *toties quoties* for every nine Months that such Defects and Irregularities shall continue, and such House or other Building, or Bow-window or Projection, shall remain built, otherwise than conformable to the Directions in such Order contained.

XCIV. And whereas several Informations may have been commenced before the said Mayor of London, and Justices of the Peace, for recovering Penalties or Forfeitures incurred by the said Act made in the twelfth Year of his present Majesty's Reign, and the same, or some of them may be still depending before the said Mayor and Justices out of Session, and other such Informations may be depending before the Justices in the said respective Quarter Sessions of the Peace, by Appeal or otherwise; be it enacted by the Authority aforesaid, That the several Defendants, in all and every such Informations, shall be, and are, by the Authority of this Act, discharged, acquitted, and indemnified, from and against all such Informations; and the said Mayor and Justices shall acquit and discharge them of and from the same accordingly.

XCV. And be it further enacted by the Authority aforesaid, That no Order which shall be made by the Mayor of the City of London for the Time being, or by any Justice or Justices of the Peace, by virtue of or under this Act, or any other Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, shall be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

XCVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons think him, her, or themselves aggrieved by any Conviction, Commitment, Distress, Order, or Judgment, of the Mayor of the City of London for the Time being, or of any Justice or Justices of the Peace, made out of Sessions by virtue of this Act; such Person or Persons may appeal to the Justices of the Peace, at their General Quarter Sessions of the Peace, to be holden in and for the City of London and Liberties thereof, the Counties of *Middlesex* or *Surrey*, the City and Liberty of *Westminster*, or the Liberties of his Majesty's *Tower of London* (as the Case may be), which shall be holden next after such Conviction, Commitment, Distress, Order, or Judgment; who shall proceed to hear and examine on Oath into the Causes and Matters of such Appeal (which Oath or Oaths they are hereby empowered to administer); and shall determine the same, and award such Costs to the Party or Parties appealing or appealed against, as they shall think

12 Geo. III. to be made secure against Fire; and irregular Projections to be altered, though no Prosecutions have been commenced.

Court to make an Order for reforming irregular Projections.

Order to be filed.

Irregularity to be reformed within nine Months,

on pain of 50*l*. Penalty.

Prosecutions depending before Justices of the Peace, discharged.

No Order of the Mayor or Justice, or other Proceeding, to be removed by *Certiorari*.

Appeal may be made to the Justices at the Quarter Sessions.

proper; and the Order, Judgment, and Determination of the said Justices, in their respective Sessions, shall be binding and conclusive to all Parties.

Proviso.

XCVII. Provided always, and be it further enacted by the Authority aforesaid, That the Person or Persons so intending to appeal shall, immediately after such Conviction, Commitment, Distress, Order, or Judgment, or within two Days afterwards, enter into a Recognizance to the Party or Parties appealed against, before such Justice or Justices of the Peace, with two sufficient Securities, conditioned to try such Appeal, and to abide the Order of, and pay, to the Party or Parties appealed against, such Costs (if any) as shall be awarded against him, her, or them, by the Sessions respectively.

Parishioners may be Witnesses.

XCVIII. And be it further enacted by the Authority aforesaid, That the Parishioners and Inhabitants of the Parish, Precinct, or Place, where any Offence against this Act shall be committed, shall be allowed to be competent Witnesses, on the Trial or otherwise, in any Action, Bill, Complaint, or Information, in any of the said Courts of Record, or at or upon the Hearing and Determination of any Information before the Mayor of London, or other Justice of the Peace, for or concerning any Offence or Offences against this present Act; notwithstanding his, her, or their being a Parishioner or Parishioners, Inhabitant or Inhabitants, in such Parish, Precinct, or Place.

Limitation of Actions for Penalties.

XCIX. Provided always, That no Action or Prosecution shall be brought or commenced against any Person or Persons for any Penalty or Forfeiture inflicted or incurred by this Act, unless the same shall be commenced within six Calendar Months next after such Forfeiture shall have been incurred.

Limitation of Actions against Persons acting under the Act.

C. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until twenty-one Days after Notice, in Writing, of an Intention to bring such Action or Suit, has been given to the Person or Persons against whom such Action or Suit shall be brought, nor after the Expiration of three Calendar Months next after the Fact committed; and every such Action or Suit, the Cause whereof shall arise within the said City of London, or the Liberties thereof, shall be laid and tried in the said City of London, and not elsewhere; and every such Action or Suit, the Cause whereof shall arise in any Part of the Limits aforesaid out of the said City of London and Liberties thereof, shall be laid and tried in the County of Middlesex, 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 or Trials to be had thereupon, and that the Matter or Thing, for which such Action or Suit is brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing appear to have been so done, or if it appear that such Action or Suit was brought before the Expiration of twenty-one Days after such Notice given as aforesaid, or that sufficient Satisfaction was made or tendered before such Action was brought; or if any such Action or Suit be not commenced within the Time herein for that Purpose limited, or be laid in any other County or Place than as aforesaid; then the Jury, in every such Action or Suit, shall find for the Defendant or Defendants therein; and if a Verdict be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs, in any such Action or Suit, become nonsuited, or discontinue, or suffer a Discontinuance, of any such Action or Suit; or if, in any such Action or Suit, Judgment be given for the Defendant or Defendants therein, on Demurrer, or by Default, or otherwise; then, and in any of the Cases aforesaid, the Defendant or Defendants shall have Judgment to recover Treble Costs of Suit, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for Costs in other Cases by Law.

General Issue.

Repealing former Acts so far as respects Party-walls, regulating of Buildings, preventing Mischief by Fire, &c.

19 Car. 2. c. 3.

6 Annæ, c. 31.

7 Annæ, c. 17.

11 Geo. 1. c. 28.

33 Geo. 2. c. 30.

4 Geo. 3. c. 14.

6 Geo. 3. c. 27.

CI. And be it further enacted, That from and after the said twenty-fourth Day of June, one thousand seven hundred and seventy-four, the said Act, passed in the twelfth Year of the Reign of his present Majesty (intituled, *An Act for the better Regulation of Buildings and Party-walls within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places in the Weekly Bills of Mortality, the Parishes of Saint Mary-le-Bon and Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex, and for the better preventing of Mischief by Fire within the said Cities, Liberties, Parishes, Precincts, and Places; and for amending and reducing the Laws relating thereto into one Act, and for other Purposes*); shall be, and the same is hereby repealed; but nevertheless, so much of an Act made in the nineteenth Year of the Reign of his late Majesty King Charles the Second, intituled, *An Act for rebuilding the City of London as relates to the regulating Buildings and Party-walls; and an Act made in the sixth Year of the Reign of her late Majesty Queen Anne (intituled, An Act for the better preventing Mischief that may happen by Fire)*; also an Act made in the seventh Year of the Reign of her said late Majesty (intituled, *An Act for making more effectual an Act, made in the sixth Year of her Majesty's Reign, for the better preventing of Mischief that may happen by Fire*); also so much of an Act made in the eleventh Year of the Reign of his late Majesty King George the First (intituled, *An Act for the better regulating of Buildings, and to prevent Mischief that may happen by Fire within the Weekly Bill of Mortality, and other Places therein mentioned*), as relates to regulating Buildings and Party-walls; also so much of an Act made in the thirty-third Year of the Reign of his late Majesty King George the Second (intituled, *An Act for widening certain Streets, Lanes, and Passages, within the City of London, and Liberties thereof, and for opening certain new Streets and Ways within the same, and for other Purposes therein mentioned*), as relates to the regulating of Buildings and Party-walls, and preventing Mischief that may happen by Fire; also so much of an Act made in the fourth Year of the Reign of his present Majesty (intituled, *An Act for the better regulating of Buildings, and to prevent Mischief that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned*), as relates to the regulating of Buildings and Party-walls, and preventing Mischief happening by Fire; also so much of an Act made in the sixth Year of his present Majesty's Reign (intituled, *An Act to explain, amend, and render more effectual the Powers of an Act, made in the thirty-third Year of the Reign of his late Majesty, intituled, An Act for widening certain Streets, Lanes, and Passages, within the City of London, and Liberties thereof; and for opening certain new Streets and Ways within the same; and for other Purposes therein mentioned*), as relates to the regulating

lating of Buildings and Party-walls; also so much of another Act made in the said sixth Year of his present Majesty's Reign (intituled, *An Act to explain, amend, and render more effectual, an Act made in the fourth Year of his present Majesty's Reign, for the better regulating of Buildings, and to prevent Mischiefs that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned*), as relates to the regulating of Buildings and Party-walls, and preventing Mischiefs that may happen by Fire, shall be, and continue, repealed. 6 Geo. 3. c. 27.

CII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

C A P. LXXIX.

An Act for explaining an Act, made in the twelfth Year of the Reign of Queen Anne, intituled, *An Act to reduce the Rate of Interest, without any Prejudice to Parliamentary Securities.*

WHEREAS large Sums of Money have been and may be lent, by his Majesty's Subjects in *Great Britain*, upon Mortgages, or other Securities, or Estates in the Kingdom of *Ireland*, and also in his Majesty's Colonies or Plantations in the *West Indies*; which Loans have been found to contribute greatly to the Improvement of the said Kingdom, Colonies, and Plantations: And whereas it has frequently been found convenient to execute such Mortgages or Securities, and the Transfers or Assignments thereof, in *Great Britain*: And whereas Doubts have arisen, whether such Loans, and the Mortgages or Securities for the same, and the Transfers or Assignments thereof, when made and executed in *Great Britain*, are as valid and effectual as when made and executed in the said Kingdom of *Ireland*, Colonies, Plantations, or Dominions; and, by reason of an Act, passed in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act to reduce the Rate of Interest, without any Prejudice to Parliamentary Securities*, whether such Mortgages or Securities are valid and effectual where the Rate of Interest thereby reserved or made payable is more than five Pounds *per Centum*, though such Interest does not exceed the Rate of Interest allowed and established by the Law of the Kingdom of *Ireland*, Colony, Plantation, Country, or Place, in which the Estates comprised in such Mortgages or Securities respectively are; and whether his Majesty's Subjects in *Great Britain* have not, or may not, become subject or liable to Penalties or Forfeitures by receiving or taking Interest for the Sums of Money really and *bona fide* advanced or lent on such Mortgages or Securities, at the Rate of Interest allowed and established by the Law of the Kingdom, Colony, Plantation, Country, or Place, wherein the mortgaged Estates respectively lie: For obviating such 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 all Mortgages and Securities which, by any of his Majesty's Subjects, already have been made and executed in *Great Britain*, of or concerning any Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, lying and being in the Kingdom of *Ireland*, or in any of the said Colonies, Plantations, or Dominions, or any Estate or Interest therein, to any of his Majesty's Subjects, for securing the Repayment of the Sums of Money thereon respectively really and *bona fide* advanced and lent, with Interest for the same; and all Bonds, Covenants, and Securities, for Payment of the same Sums of Money and Interest respectively, and all Transfers or Assignments which have been made and executed in *Great Britain* of such Mortgages, Securities, or Bonds, to any of his Majesty's Subjects; shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, as such Mortgages, Securities, Bonds, Covenants, Transfers, or Assignments, would have been, if the same had been made and executed in the Kingdom, Island, Plantation, Country, or Place, where the Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, mentioned and comprised in any such Mortgage, Security, Transfer, or Assignment, as aforesaid, severally lie or are; and that none of his Majesty's Subjects in *Great Britain* shall be subject or liable to any of the Penalties or Forfeitures in the said Act, made in the twelfth Year of her said late Majesty's Reign, by receiving or taking Interest for the Sum or Sums of Money really and *bona fide* advanced or lent on any such Mortgage, Security, Bond, Covenant, Transfer, or Assignment, as aforesaid, at the Rate of Interest allowed and established by the Law of the Kingdom, Colony, Plantation, Country, or Place, wherein the mortgaged Premises respectively lie or are.

II. And be it further enacted by the Authority aforesaid, That all Mortgages and Securities which, by any of his Majesty's Subjects, after the passing of this Act, shall be made and executed in *Great Britain*, of or concerning any Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, lying and being in the Kingdom of *Ireland*, or in any of the said Colonies, Plantations, or Dominions, or any Estate or Interest therein, to any of his Majesty's Subjects, for securing the Repayment of the Sums of Money thereon respectively to be really and *bona fide* advanced and lent, with Interest for the same; and all Bonds, Covenants, and Securities, for Payment of the same Sums of Money, and Interest respectively, and all Transfers or Assignments which, after the passing of this Act, shall be made and executed in *Great Britain* of such Mortgages, Securities, or Bonds, to any of his Majesty's Subjects, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, as such Mortgages, Securities, Bonds, Covenants, Transfers, or Assignments, would be if the same were made and executed in the Kingdom, Island, Plantation, Country, or Place, where the Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things to be mentioned or comprised in any such Mortgage, Security, Transfer, or Assignment, as aforesaid, severally lie or are; and that none of his Majesty's Subjects in *Great Britain* shall be subject

Preamble.

Act 12 Annæ.

All Mortgages, &c. executed in Britain, of Lands in Ireland, or the Colonies, or Interest therein, for securing Sums lent,

to be as effectual, as if executed in the Place where the Lands lie;

and no British Subject is liable to the Penalties of Act 12 Annæ.

Transfers of such Mortgages executed in Britain concerning Lands in Ireland, in the Colonies, &c. to be valid.

or liable to any of the Penalties or Forfeitures in the said Act, made in the twelfth Year of her said late Majesty's Reign, by receiving or taking Interest for the Sum or Sums of Money to be really and *bona fide* advanced or lent on any such Mortgage, Security, Bond, Covenant, Transfer, or Assignment, as aforesaid, so as the Interest so to be received or taken do not exceed the Rate of six Pounds for one hundred Pounds for a Year; the aforesaid Act of Parliament, or any other Law or Statute to the contrary notwithstanding.

Not to make good such Mortgage, if the Lender has advanced more than the Lands are worth.

Persons borrowing Sums exceeding the Value which the Lands shall be worth, to forfeit triple the Value of the Sum. One Half to the Informer, and the other to

III. Provided always, and it is hereby declared, That this Act shall not make good, valid, or effectual, any such Mortgage, Security, Bond, Covenant, Transfer, or Assignment, where the Lender or Lenders of any Sum or Sums of Money has or have knowingly advanced or lent, or shall knowingly advance or lend thereon, more Money than the Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, in such Mortgages, Securities, Transfers, or Assignments, mentioned or comprised, or to be mentioned or comprised, was, were, or shall be, at the Time or Times of advancing or lending such Sum or Sums of Money as aforesaid, really and *bona fide* worth, to be sold.

IV. And be it enacted by the Authority aforesaid, That all and every Person or Persons, borrowing any Sum or Sums of Money under the Authority of this Act, upon any such Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, as aforesaid, exceeding the Value which the same shall be, at the Time of borrowing such Sum or Sums of Money, really and *bona fide* worth to be sold over and above all Incumbrances which shall then affect the same, shall forfeit triple the Value of the Sum borrowed; the one Half to be paid to the Informer, the other Half to the Treasurer of the Royal Hospital for Seamen, at *Greenwich*, in the County of *Kent*, or to his sufficient Deputy or Agent, for the Use of the said Hospital.

Mortgages to be registered in the Colony, &c. where the Lands lie.

V. Provided also, and be it enacted, That all such Mortgages, or other Securities granted under the Authority of this Act, by which such Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, are intended to be charged or affected, shall be registered within the Kingdom, Island, Colony, Plantation, Country, or Place, where the said Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, severally lie, or are within the Time limited by the Laws of such Kingdom, Island, Colony, Plantation, Country, or Place, otherwise the same shall be subject to the several Provisions and Penalties contained in the said Act, made in the twelfth Year of her late Majesty Queen *Anne*, in such Manner as the same would have been if this Act had never been passed, unless the Mortgagee, or other Person or Persons, for whose Behoof such Mortgage or other Security shall have been made or granted, shall have *bona fide* used his or their utmost Endeavour to cause the same to be registered within the Time hereinbefore limited for that Purpose.

C A P. LXXX.

An Act to continue the several Laws therein mentioned, for the better Encouragement of the making of Sail Cloth in *Great Britain*; and for securing the Duties upon foreign-made Sail Cloth, and charging foreign-made Sails with a Duty.

Preamble.

Act 33 Geo. 2.

and Act 8 Geo. 3. for encouraging the making of Sail Cloth in *Great Britain*, further continued till Sept. 29. 1781.

Act 29 Geo. 2. for securing the Duties on foreign-made Sail Cloth, &c. continued by Acts 26 & 32 Geo. 2. and 6 Geo. 3.

further continued till June 29. 1786.

‘WHEREAS the Laws herein-after mentioned are near expiring;’ 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 an Act made in the thirty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act to continue an Act made in the twelfth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for the better Encouragement of the making of Sail Cloth in Great Britain*, which was to continue in Force until the twenty-ninth Day of *September*, one thousand seven hundred and sixty-seven, and from thence to the End of the then next Session of Parliament; and which by an Act made in the eighth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

II. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of his late Majesty King *George* the Second, for the more effectual securing the Duties now payable on foreign-made Sail Cloth, imported into this Kingdom, and for charging all foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their first setting out to Sea, to be furnished with one compleat Set of Sails made of *British* Sail Cloth, which was to continue in Force from the twenty-fourth Day of *June*, one thousand seven hundred and forty-six, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which, by three subsequent Acts, made in the twenty-sixth and thirty-second Years of the Reign of his said late Majesty, and of the sixth Year of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

C A P. LXXXI.

An Act for altering and amending an Act, made in the sixteenth Year of his late Majesty's Reign, intituled, *An Act to explain and amend the Laws touching the Elections of Members to serve for the Commons in Parliament, for that Part of Great Britain called Scotland; and to restrain the Partiality, and regulate the Conduct, of returning Officers at such Elections*, by altering the Time of Notice, ordered by the said Act to be given, in the Service of Complaints to the Court of Session, of Wrongs done in Elections, and by regulating the Manner, and settling the Place, of Election of a Burgefs to serve in Parliament for a District of Boroughs in *Scotland*, when the Election of the Magistrates and Council of a Borough, which ought in Course to be the presiding Borough at an Election, happens to be reduced, and made void, by a Decree of the Court of Session, and not revived by the Crown, when such Election is made.

WHEREAS by an Act, made in the sixteenth Year of his late Majesty's Reign, intituled, *An Act to explain and amend the Laws touching the Elections of Members to serve for the Commons in Parliament, for that Part of Great Britain called Scotland; and to restrain the Partiality, and regulate the Conduct, of returning Officers, at such Elections*; Complaints to the Court of Session, for Redress of Wrongs committed by the inrolling, or refusing to inrol, Persons claiming to be inrolled in the Roll of Freeholders, or in the annual Elections of Royal Boroughs, are ordered to be served upon thirty Days Notice; And whereas it is found by Experience, so long Notice is unnecessary, and occasions Delay in the summary Determination of such Complaints, agreeable to the Intendment of the said Act; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twelfth Day of *June*, in the Year of our Lord one thousand seven hundred and seventy-four, the Court of Session shall grant Warrants for the Service of all such Complaints as aforesaid, upon fifteen Days Notice.

II. And whereas the Elections of Magistrates and Counsellors of Royal Boroughs in *Scotland* have sometimes been reduced and made void, by Decrees of the Court of Session, in Actions or Complaints brought before the said Court for that Purpose, by which the Corporate Powers of such Boroughs are in Effect in a State of Nonexistence, until restored by the Justice and Favour of the Crown: And whereas no Provision is made in the aforesaid Act of the sixteenth Year of the Reign of his late Majesty, or any other Act now in being, for regulating the Manner, and settling the Place, of Election of a Burgefs to serve in Parliament for a District of Boroughs in *Scotland*, when the Election of Magistrates and Council of a Borough, which ought in Course to have been the presiding Borough at the Election, happens to be reduced, and not revived when the Election is made: For remedying thereof, be it enacted by the Authority aforesaid, That in every Election of a Burgefs to serve in Parliament for a District of Boroughs in *Scotland*, when it shall happen that the Election of the Magistrates and Council of the Borough, which ought to have been the presiding Borough at such Election, is reduced and not revived, the next Borough intituled to preside in Turn shall be the presiding Borough, and the Election shall be made at that Borough; and the Commissioner for that Borough shall be the President of the Meeting of Commissioners for the Election, and have a casting and decisive Vote, besides his own as Commissioner, where the Votes of the Commissioners are equal; and the common Clerk of that Borough shall be Clerk to the Election; and every Matter and Thing concerning the Election shall be proceeded in as if that Borough had been the presiding Borough, in the ordinary Course of Rotation.

III. And be it further enacted by the Authority aforesaid, That the Borough which would have been the presiding Borough at the Election, if the Election of the Magistrates and Counsellors of such Borough had not been reduced, shall, when revived by the Justice and Favour of the Crown, have no Right or Title to be a presiding Borough in the Election of a Burgefs to serve in Parliament for the District of Boroughs of which it is one, until the other Boroughs of the District, each in their Turn, have successively provided, and that the Right devolves upon such Borough in the ordinary Course of Rotation.

C A P. LXXXII.

An Act for explaining and altering an Act, made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating of Turnpike Roads in that Part of Great Britain called England, and for other Purposes*; so far as the same relates to the Payment of additional Tolls at Weighing Engines, and the Number of Horses to be used in Carriages drawn on Turnpike Roads; and for allowing certain Exemptions with respect to Weight and Payment of Toll in particular Cases.

WHEREAS much Inconvenience has been found to arise from the heavy additional Tolls authorized and directed to be taken by an Act passed in the last Session of Parliament, intituled, *An Act*

Preamble.
Act 7, Geo. 3

Court of Session,
on 15 Days Notice, shall grant Warrants for Service of Complaints for Redress of Wrongs committed by inrolling at Elections.
Election of a Burgefs to serve in Parliament regulated.

The presiding Borough of the District how to be ascertained.

Preamble.
Act 13 Geo. 3

to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating of Turnpike Roads in that Part of Great Britain called England, and for other Purposes, from Persons who have in Waggons, Carts, or Carriages, carried greater Weights than are thereby allowed upon Turnpike Roads: And whereas it is expedient and necessary to make some Alteration with respect to such additional Tolls, in order to prevent innocent Persons from suffering unwarily or inadvertently thereby: And whereas the permitting any Waggon, Cart, or Carriage, when weighed at any weighing Engine, to be drawn by an unlimited Number of Horses, has been found, on Trial, to be inconvenient, and liable to Abuse; for Remedy thereof, 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 so much of the said before-recited Act, as impowers the Trustees of any Turnpike Road to receive and take the additional Toll of twenty Shillings for every Hundred Weight, which any Waggon, Cart, or Carriage, together with its Loading; shall weigh at any Weighing Engine, over and above the Weight allowed thereby; and also so much thereof as permits any Waggon, Cart, or Carriage, after having been weighed as aforesaid, to be drawn by an unlimited Number of Horses; shall be, and is hereby repealed.

Part of the said Act repealed.

Additional Tolls to be hereafter taken for extra Weights on Waggon.

II. And be it further enacted by the Authority aforesaid, That from and after the first Day of August, one thousand seven hundred and seventy-four, it shall and may be lawful for all Trustees, appointed by any Act or Acts of Parliament, for the Repair of any Turnpike Road within that Part of Great Britain called England, or any five or more of them, or for any Person or Persons properly empowered by any five or more of them, to receive and take, over and above the Tolls already granted, or hereafter to be granted, the following Sums of Money, as additional Tolls for every Hundred Weight of one hundred and twelve Pounds to the Hundred, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any Weighing Engine erected, or to be erected, over and above the Weights by the before-recited Act allowed to each of them respectively; that is to say, For the First and Second hundred of such over Weight, the Sum of three-pence for each hundred; for every hundred of such over Weight above two hundred, and not exceeding five hundred, the Sum of Six-pence; for every hundred of such over Weight above five hundred, and not exceeding ten hundred, the Sum of two Shillings and Sixpence; for every Hundred of such over Weight above ten hundred, and not exceeding fifteen hundred, the Sum of five Shillings; and for every Hundred of such over Weight above fifteen hundred, the Sum of twenty Shillings: Which said additional Toll or Duty, hereby granted and made payable at any Weighing Engine, as aforesaid, shall and may be levied and recovered in any of the Cases aforesaid, upon any Person liable thereto, or upon his or her Goods or Chattels, who shall, after Demand made thereof, refuse or neglect to pay the same, in such Manner as any other Toll or Duty payable at the same Toll-gate or Bar, where any such Engine shall be erected, is or shall be by Law to be levied and recovered; and the Money arising from such additional Toll or Duty shall be applied to the Repairs of the Turnpike Road where the same shall be collected.

No Waggon, Cart, or Carriage, employed in Husbandry, to be weighed.

III. And be it further enacted, That from and after the said first Day of August, no Waggon, Cart, or Carriage, employed only in Husbandry, or carrying only Manure or Lime for the Improvement of Land, or Hay, Straw, Fodder, or Corn unthreshed (excepting Hay or Straw carried for Sale), shall be weighed at any Weighing Engine now erected, or hereafter to be erected; any Law or Usage to the contrary notwithstanding.

Trustees within 10 Miles of London, &c. may lower the Tolls.

Waggon, Cart, &c. moving upon Rollers to pass Toll free for five Years.

IV. And be it further enacted, That the Trustees of the several Turnpike Roads within ten Miles of the Cities of London and Westminster, and the Borough of Southwark, may, and they are hereby empowered, at their General or Quarterly Meetings, to lower the several additional Tolls hereby directed to be taken, as aforesaid, for over Weight, in such Manner as to them shall seem fit and convenient.

V. And whereas the Exemption from Toll in the before-recited Act, given to Waggon, Carts, and Carriages, moving upon Rollers of the Breadth of sixteen Inches on each Side thereof, with flat Surfaces, during the Term of one Year only, is found not to be a sufficient Encouragement to induce Persons to erect and make use of the same; be it therefore enacted, That all such Waggon, Carts, and Carriages, shall, for and during the Term of five Years, to be computed from the twenty-ninth Day of September, one thousand seven hundred and seventy-four, be permitted to pass or be drawn upon any Turnpike Road Toll free; any Law to the contrary thereof in any-wise notwithstanding: And from and after the Expiration of such Term, then to pay Half Toll only, as directed by the before-recited Act.

and after that Term to pay only Half Toll.

C A P. LXXXIII.

An Act for making more effectual Provision for the Government of the Province of *Quebec* in *North America*.

Preamble.

WHEREAS his Majesty, by his Royal Proclamation, bearing Date the seventh Day of October, in the third Year of his Reign, thought fit to declare the Provisions which had been made in respect to certain Countries, Territories, and Islands in America, ceded to his Majesty by the definitive Treaty of Peace, concluded at Paris on the tenth Day of February, one thousand seven hundred and sixty-three: And whereas, by the Arrangements made by the said Royal Proclamation, a very large Extent of Country, within which there were several Colonies and Settlements of the Subjects of France, who claimed to remain therein under the Faith of the said Treaty, was left, without any Provision being made for the Administration of Civil Government therein; and certain Parts of the Territory of Canada, where sedentary Fisheries had been established and carried on by the Subjects of France, Inhabitants

‘bitants of the said Province of *Canada*, under Grants and Concessions from the Government thereof, were annexed to the Government of *Newfoundland*, and thereby subjected to Regulations inconsistent with the Nature of such Fisheries:’ May it therefore please your most Excellent Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Territories, Islands, and Countries in *North America*, belonging to the Crown of *Great Britain*, bounded on the South by a Line from the Bay of *Chaleurs*, along the High Lands which divide the Rivers that empty themselves into the River *Saint Lawrence* from those which fall into the Sea, to a Point in forty-five Degrees of Northern Latitude, on the Eastern Bank of the River *Connecticut*, keeping the same Latitude directly West, through the *Lake Champlain*, until, in the same Latitude, it meets the River *Saint Lawrence*; from thence up the Eastern Bank of the said River to the *Lake Ontario*; thence through the *Lake Ontario*, and the River commonly called *Niagara*; and thence along by the Eastern and South-eastern Bank of *Lake Erie*, following the said Bank, until the same shall be intersected by the Northern Boundary, granted by the Charter of the Province of *Pennsylvania*, in case the same shall be so intersected; and from thence along the said Northern and Western Boundaries of the said Province, until the said Western Boundary strike the *Ohio*: But in case the said Bank of the said *Lake* shall not be found to be so intersected, then following the said Bank until it shall arrive at that Point of the said Bank which shall be nearest to the North-western Angle of the said Province of *Pennsylvania*, and thence by a right Line, to the said North-western Angle of the said Province; and thence along the Western Boundary of the said Province, until it strike the River *Ohio*; and along the Bank of the said River, Westward, to the Banks of the *Mississippi*, and Northward to the Southern Boundary of the Territory granted to the Merchants Adventurers of *England*, trading to *Hudson’s Bay*; and also all such Territories, Islands, and Countries, which have, since the tenth of *February*, one thousand seven hundred and sixty-three, been made Part of the Government of *Newfoundland*, be, and they are hereby, during his Majesty’s Pleasure, annexed to, and made Part and Parcel of, the Province of *Quebec*, as created and established by the said Royal Proclamation of the seventh of *October*, one thousand seven hundred and sixty-three.

The Territories, Islands, and Countries in *North America*, belonging to *Great Britain*,

II. Provided always, That nothing herein contained, relative to the Boundary of the Province of *Quebec*, shall in anywise affect the Boundaries of any other Colony.

annexed to the Province of *Quebec*.
Not to affect the Boundaries of any other Colony;
nor to make void other Rights formerly granted.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to make void, or to vary or alter any Right, Title, or Possession, derived under any Grant, Conveyance, or otherwise howsoever, of or to any Lands within the said Province, or the Provinces thereto adjoining; but that the same shall remain and be in Force, and have Effect, as if this Act had never been made.

IV. And whereas the Provisions, made by the said Proclamation, in respect to the Civil Government of the said Province of *Quebec*, and the Powers and Authorities given to the Governor and other Civil Officers of the said Province, by the Grants and Commissions issued in consequence thereof, have been found, upon Experience, to be inapplicable to the State and Circumstances of the said Province, the Inhabitants whereof amounted, at the Conquest, to above sixty-five thousand Persons professing the Religion of the Church of *Rome*, and enjoying an established Form of Constitution and System of Laws, by which their Persons and Property had been protected, governed, and ordered, for a long Series of Years, from the first Establishment of the said Province of *Canada*; be it therefore further enacted by the Authority aforesaid, That the said Proclamation, so far as the same relates to the said Province of *Quebec*, and the Commission under the Authority whereof the Government of the said Province is at present administered, and all and every the Ordinance and Ordinances made by the Governor and Council of *Quebec* for the Time being, relative to the Civil Government and Administration of Justice in the said Province, and all Commissions to Judges and other Officers thereof, be, and the same are hereby revoked, annulled, and made void, from and after the first Day of *May*, one thousand seven hundred and seventy-five.

Former Provisions made for the Province to be null and void after *May 1*, 1775.

V. And, for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province, it is hereby declared, That his Majesty’s Subjects, professing the Religion of the Church of *Rome* of and in the said Province of *Quebec*, may have, hold, and enjoy, the free Exercise of the Religion of the Church of *Rome*, subject to the King’s Supremacy, declared and established by an Act, made in the first Year of the Reign of *Queen Elizabeth*, over all the Dominions and Countries which then did, or thereafter should belong, to the Imperial Crown of this Realm; and that the Clergy of the said Church may hold, receive, and enjoy, their accustomed Dues and Rights, with respect to such Persons only as shall profess the said Religion.

Inhabitants of *Quebec* may profess the *Romish* Religion, subject to the King’s Supremacy, as by Act 1 *Eliz.*; and the Clergy enjoy their accustomed Dues.

VI. Provided nevertheless, That it shall be lawful for his Majesty, his Heirs or Successors, to make such Provision out of the rest of the said accustomed Dues and Rights, for the Encouragement of the Protestant Religion, and for the Maintenance and Support of a Protestant Clergy within the said Province, as he or they shall, from Time to Time, think necessary and expedient.

Provision may be made by his Majesty for the Clergy.

Support of the Protestant

VII. Provided always, and be it enacted, That no Person, professing the Religion of the Church of *Rome*, and residing in the said Province, shall be obliged to take the Oath required by the said Statute passed in the first Year of the Reign of *Queen Elizabeth*, or any other Oaths substituted by any other Act in the Place thereof; but that every such Person who, by the said Statute, is required to take the Oath therein mentioned, shall be obliged, and is hereby required, to take and subscribe the following Oath before the Governor, or such other Person in such Court of Record as his Majesty shall appoint, who are hereby authorised to administer the same; *videlicet*:

No Person professing the *Romish* Religion, obliged to take the Oath of 1 *Eliz.*; but to take, before the Governor, &c. the following Oath,

the following Oath,

The Oath.

‘ I *A. B.* do sincerely promise and swear, That I will be faithful, and bear true Allegiance to his Majesty King *George*, and him will defend to the utmost of my Power, against all traitorous Conspiracies, and Attempts whatsoever, which shall be made against his Person, Crown, and Dignity; and I will do my utmost Endeavour to disclose and make known to his Majesty, his Heirs and Successors, all Treasons, and traitorous Conspiracies, and Attempts, which I shall know to be against him, or any of them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Power or Person whomsoever to the contrary.
‘ So help me GOD.’

Persons refusing the Oath to be subject to the Penalties by Act 1 Eliz.

His Majesty's Canadian Subjects (religious Orders excepted) may hold all their Possessions, &c. and in Matters of Controversy, Resort may be had to the Laws of Canada for the Decision.

And every such Person, who shall neglect or refuse to take the said Oath before mentioned, shall incur and be liable to the same Penalties, Forfeitures, Disabilities, and Incapacities, as he would have incurred and been liable to for neglecting or refusing to take the Oath required by the said Statute passed in the first Year of the Reign of Queen *Elizabeth*.

VIII. And be it further enacted by the Authority aforesaid, That all his Majesty's Canadian Subjects within the Province of *Quebec*, the religious Orders and Communities only excepted, may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the said Proclamation, Commissions, Ordinances, and other Acts and Instruments, had not been made, and as may consist with their Allegiance to his Majesty, and Subjection to the Crown and Parliament of *Great Britain*; and that in all Matters of Controversy, relative to Property and Civil Rights, Resort shall be had to the Laws of *Canada*, as the Rule for the Decision of the same; and all Causes that shall hereafter be instituted in any of the Courts of Justice, to be appointed within and for the said Province by his Majesty, his Heirs and Successors, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of *Canada*, until they shall be varied or altered by any Ordinances that shall, from Time to Time, be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, by and with the Advice and Consent of the Legislative Council of the same, to be appointed in Manner herein-after mentioned.

Not to extend to Lands granted by his Majesty in common Soccage.

Owners of Goods may alienate the same by Will, &c. if executed according to the Laws of Canada. Criminal Law of England to be continued in the Province.

IX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Lands that have been granted by his Majesty, or shall hereafter be granted by his Majesty, his Heirs and Successors, to be holden in free and common Soccage.

X. Provided also, That it shall and may be lawful to and for every Person that is Owner of any Lands, Goods, or Credits, in the said Province, and that has a Right to alienate the said Lands, Goods, or Credits, in his or her Life-time, by Deed of Sale, Gift, or otherwise, to devise or bequeath the same at his or her Death, by his or her last Will and Testament; any Law, Usage, or Custom, heretofore or now prevailing in the Province, to the contrary hereof in any-wise notwithstanding; such Will being executed either according to the Laws of *Canada*, or according to the Forms prescribed by the Laws of *England*.

XI. And whereas the Certainty and Lenity of the Criminal Law of *England*, and the Benefits and Advantages resulting from the Use of it, have been sensibly felt by the Inhabitants, from an Experience of more than nine Years, during which it has been uniformly administered; be it therefore further enacted by the Authority aforesaid, That the same shall continue to be administered, and shall be observed as Law in the Province of *Quebec*, as well in the Description and Quality of the Offence as in the Method of Prosecution and Trial; and the Punishments and Forfeitures thereby inflicted to the Exclusion of every other Rule of Criminal Law, or Mode of Proceeding thereon, which did or might prevail in the said Province before the Year of our Lord one thousand seven hundred and sixty-four; any Thing in this Act to the contrary thereof in any respect notwithstanding; subject nevertheless to such Alterations and Amendments as the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Consent of the Legislative Council of the said Province, hereafter to be appointed, shall, from Time to Time, cause to be made therein, in Manner herein-after directed.

His Majesty may appoint a Council for the Affairs of the Province;

XII. And whereas it may be necessary to ordain many Regulations for the future Welfare and good Government of the Province of *Quebec*, the Occasions of which cannot now be foreseen, nor, without much Delay and Inconvenience, be provided for, without intrusting that Authority, for a certain Time, and under proper Restrictions, to Persons resident there: And whereas it is at present inexpedient to call an Assembly; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs and Successors, by Warrant under his or their Signet or Sign Manual, and with the Advice of the Privy Council, to constitute and appoint a Council for the Affairs of the Province of *Quebec*, to consist of such Persons resident there, not exceeding twenty-three, nor less than seventeen, as his Majesty, his Heirs and Successors, shall be pleased to appoint; and, upon the Death, Removal, or Absence of any of the Members of the said Council, in like Manner to constitute and appoint such and so many other Person or Persons as shall be necessary to supply the Vacancy or Vacancies; which Council, so appointed and nominated, or the major Part thereof, shall have Power and Authority to make Ordinances for the Peace, Welfare, and good Government, of the said Province, with the Consent of his Majesty's Governor, or, in his Absence, of the Lieutenant-governor, or Commander in Chief for the Time being.

which Council may make Ordinances, with Consent of the Governor.

The Council are not impowered to lay Taxes, publick Roads or Buildings excepted.

XIII. Provided always, That nothing in this Act contained shall extend to authorise or empower the said legislative Council to lay any Taxes or Duties within the said Province, such Rates and Taxes only excepted as the Inhabitants of any Town or District within the said Province may be authorised by the said Council to assess, levy, and apply, within the said Town or District, for the Purpose of making Roads, erecting and repairing publick Buildings, or for any other Purpose respecting the local Convenience and Oeconomy of such Town or District.

XIV. Provided

XIV. Provided also, and be it enacted by the Authority aforesaid, That every Ordinance so to be made, shall, within six Months, be transmitted by the Governor, or, in his Absence, by the Lieutenant-governor, or Commander in Chief for the Time being, and laid before his Majesty for his Royal Approbation; and if his Majesty shall think fit to difallow thereof, the same shall cease and be void from the Time that his Majesty's Order in Council thereupon shall be promulgated at *Quebec*.

Ordinances made to be laid before his Majesty for his Approbation.

XV. Provided also, That no Ordinance touching Religion, or by which any Punishment may be inflicted greater than Fine or Imprisonment for three Months, shall be of any Force or Effect, until the same shall have received his Majesty's Approbation.

Ordinances touching Religion not to be in Force without his Majesty's Approbation.

XVI. Provided also, That no Ordinance shall be passed at any Meeting of the Council where less than a Majority of the whole Council is present, or at any Time except between the first Day of *January* and the first Day of *May*, unless upon some urgent Occasion, in which Case every Member thereof resident at *Quebec*, or within fifty Miles thereof, shall be personally summoned by the Governor, or, in his Absence, by the Lieutenant-governor, or Commander in Chief for the Time being, to attend the same.

When Ordinances are to be passed by a Majority.

XVII. And be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to prevent or hinder his Majesty, his Heirs and Successors, by his or their Letters Patent under the Great Seal of *Great Britain*, from erecting, constituting, and appointing, such Courts of Criminal, Civil, and Ecclesiastical Jurisdiction within and for the said Province of *Quebec*, and appointing, from Time to Time, the Judges and Officers thereof, as his Majesty, his Heirs and Successors, shall think necessary and proper for the Circumstances of the said Province.

Nothing to hinder his Majesty to constitute Courts of Criminal, Civil, and Ecclesiastical Jurisdiction. All Acts formerly made are hereby enforced within the Province.

XVIII. Provided always, and it is hereby enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal or make void, within the said Province of *Quebec*, any Act or Acts of the Parliament of *Great Britain* heretofore made, for prohibiting, restraining, or regulating, the Trade or Commerce of his Majesty's Colonies and Plantations in *America*; but that all and every the said Acts, and also all Acts of Parliament heretofore made concerning or respecting the said Colonies and Plantations, shall be, and are hereby declared to be, in Force, within the said Province of *Quebec*, and every Part thereof.

C A P. LXXXIV.

An Act to prevent certain Inconveniencies that may happen by Bills of Naturalization.

WHEREAS it hath been found that many Persons, born out of the Allegiance of the Crown of *Great Britain*, obtain Bills of Naturalization for the Purpose of availing themselves in foreign Countries of the Immunities and Indulgences belonging to his Majesty's trading Subjects, by Treaties, or otherwise; and in order to apply the said Immunities and Indulgences to promote the Trade of the Country to which the Persons so naturalized originally belonged, and not with any Design of fixing their Residence in *Great Britain*, or of becoming useful Subjects thereof: And whereas it is neither just nor expedient to permit such Abuses of the true Intent of Naturalization; 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 Person shall hereafter be naturalized, unless in the Bill exhibited for that Purpose there shall be a Clause or Proviso inserted to declare that such Person shall not thereby obtain, or become intitled to claim, within any foreign Country, any of the Immunities or Indulgences in Trade which are or may be enjoyed or claimed therein by natural-born *British* Subjects, by virtue of any Treaty, or otherwise, unless such Person shall have inhabited and resided within *Great Britain*, or the Dominions thereunto belonging, for the Space of seven Years, subsequent to the first Day of the Session of Parliament in which the said Bill of Naturalization shall have passed, and shall not have been absent out of the same for a longer Space than two Months, at any one Time, during the said seven Years; and that no Bill of Naturalization shall hereafter be received, in either House of Parliament, unless such Clause or Proviso be first inserted or contained therein.

Preamble.

Persons how to be naturalized hereafter.

C A P. LXXXV.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-four; and for further appropriating the Supplies granted in this Session of Parliament, for carrying to the Aggregate Fund a Sum of Money which hath arisen by the two Sevenths Excise; and for enabling the Barons of the Exchequer in *Scotland* to make out a Certificate for the Payment of the Sum of five hundred Pounds to Lady *Ann Mackenzie*, out of the Balance remaining of the Sum of seventy-two thousand Pounds, granted for paying the Creditors of the forfeited Estates in *Scotland*.

Most Gracious Sovereign,
WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to your Majesty

‘ jesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein-after mentioned;’ and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as shall, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, 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, there shall and may be issued and applied, for and towards making good the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and seventy-four, a Sum not exceeding two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing; 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.

Not exceeding 2,080,696 l. 12 s. 8 d. 1 q. granted out of the Sinking Fund, for the Service of the current Year; to be issued by the Treasury accordingly.

Treasury empowered to raise the said Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund.

II. And it is hereby enacted by the Authority aforesaid, That in case the said 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, shall think it advisable to raise the said Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, or any Part thereof, by Loans or Exchequer Bills, in Manner herein-after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty’s Exchequer, any Sum or Sums of Money not exceeding the said Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, upon the Credit of the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund, and to have and receive Interest for the Forbearance of the Money lent, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them, now or for the Time being, or the High Treasurer for the Time being, who are or is hereby authorized to issue his or their Warrants for that Purpose, as such Loans shall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

All Persons who shall lend any Money upon the Credit of this Act, shall have a Tally of Loan, with Orders for Repayment of the Money with Interest. Orders to be registered in Course. No undue Preference to be given in Payments.

III. And be it further enacted, That all and every Person or Persons who shall lend any Money upon the Credit of this Act, as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her, or their Repayment, bearing the same Date with his, her, or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent shall be registered in Course, according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her, or their Executors, Administrators, or Assigns, who shall have his, her, or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses, and Overplus Monies, or other Revenues; and he, she, or they, who shall have his, her, or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively, and in Course; and that the Monies to come in of or for the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund, as aforesaid, shall be, in the same Order, liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors, or Assigns, respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever, other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf, as aforesaid; and that no Fee, Reward, or Gratuity, directly or indirectly, shall be demanded or taken of any of his Majesty’s Subjects, for providing or making of any such Books or Registers, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of his Majesty’s Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also: And if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with full Costs of Suit, to the Party grieved, and shall be forejudged of his Place or Office; and if any such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of the Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after incapable of his Office or Place: And in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person’s due Place and Order, as before directed; then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty’s Courts of Record at *Westminster*; wherein no Eiloin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any-wise granted or allowed.

No Fee to be taken on Forfeiture of treble Damages, with full Costs.

Penalty of undue Preference in point of Registry or Payment.

Auditor, &c. neglecting his Duty, liable for Damages, &c.

to be recovered at Westminster.

IV. Provided

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered; then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

V. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders, to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come and take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy preceding Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registered by virtue of this Act, after Order entered in the Book of Register, as aforesaid, his, her, or their Executors, Administrators, or Assigns, by proper Words or Assignment, to be indorsed and written upon his, her, or their Order, may assign and transfer his, her, or their Right, Title, Interest, and Benefit of such Order, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Register aforesaid for Orders (which the Officers shall, upon Request, without Fee or Charge, accordingly make), shall intitle such Assignee, his, her, or their Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign again, and so toties quoties; and afterwards it shall not be in the Power of such Person or Persons, who hath or have made such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

VII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the Whole the said Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills, as is herein-after mentioned, or by both or either of those Ways or Means, for the Publick Service; be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them, now or for the Time being, or the High Treasurer for the Time being, shall judge it more advisable to raise the said Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, or any Part thereof, by Exchequer Bills, instead of such Loans, as aforesaid, that then he or they respectively is or are hereby authorized and empowered, at any Time or Times, to prepare and make, or cause to be prepared or made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the Whole the said Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, together with such Loans aforesaid, in the same or like Manner, Form, or Order, and according to the same or like Rules and Directions as in and by a certain Act of this present Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-four*, are enacted and prescribed concerning the Exchequer Bills to be made, in pursuance of the said Act.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities, contained in the said last-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act), 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 Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this present Act.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills which shall be made in pursuance of this Act, and the Interest, Premium, Rate, and Charges, incident to, or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the Surplusses, Excesses, and overplus Monies, or other Revenues composing the Sinking Fund (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards the paying off, cancelling, and discharging, such Exchequer Bills, Interest, Premium, Rate, or Charges, until the Whole of them shall be paid off, cancelled, and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable, on Demand, to the respective Proprietors thereof.

X. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of England to advance or lend to his Majesty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of two millions and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, any Thing in an Act made in the fifth and sixth Years of the Reign of King William and Queen Mary, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonage of Ships and Vessels; and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against France; to the contrary thereof in any-wise notwithstanding.*

No undue Preference in the Registering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not brought in Course, so as Money be reserved for the preceding Orders.
Power of Assignment, and Method of transferring of Orders.

If it shall be judged more advisable, the Treasury may raise the said Sum by Exchequer Bills, instead of Loans;

the Bills in such Case to be made as those prescribed by the Malt Act of this Session.

All Advantages and Penalties in the Malt Act of this Session, relating to Loans or Exchequer Bills thereby authorized to be made forth, extended to this Act.
The said Exchequer Bills, Interest and Charges, are to be paid out of the Sinking Fund.

Bank authorized to lend to his Majesty the Sum of 2,080,000 l. 12 s. 8 d. 1 q. notwithstanding the Act 5 & 6 Guls. & Mariae.

XI. And

The Sum of
 113,901. 11s.
 7d. 1q. Surplus
 of the Sinking
 Fund in the Ex-
 chequer on
 5 Jan. 1774;
 610,303 l. 7s.
 3d. 3q. remain-
 ing in the Ex-
 chequer on
 5 April, 1774;
 and 126,981 l.
 7s. 5d. remain-
 ing in the Ex-
 chequer for
 1773;
 and such Monies
 as shall be paid
 into the Exche-
 quer between
 April 5, 1774,
 and April 5,
 1775, of the
 Produce of the
 Duties on Gum
 Senega and Gum
 Arabic;
 2,237 l. 5s. 3d.
 remaining in the
 Exchequer of the
 Duties on
 Rice exported,
 and on Apples
 imported, Cam-
 bricks and Sug-
 ars granted by
 6 Geo. 3. and
 out of imprest
 9 s. 3 d. paid
 15,000 l. for
 supporting the
 necessary Ex-
 pences of Forces
 in America,
 Nova Scotia,
 Newfoundland,
 and the ceded
 Islands, out of
 the Monies to
 be paid into the
 Exchequer on
 April 5, 1775.
 Appropriation
 of the Supplies.
 The Monies
 arising by the
 Malt Tax,

Land Tax,

Loans,
Lottery,

and 113,190 l.
 11s. 7d. 1q.
 remaining in the
 Exchequer on
 Jan. 5, 1774;
 610,303 l.
 7s. 3d.
 39.

XI. And be it further enacted by the Authority aforesaid, That the Sum of one hundred and thirteen thousand one hundred and ninety Pounds eleven Shillings and Seven-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *January*, one thousand seven hundred and seventy-four, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and overplus Monies, and other Revenues of the Fund commonly called *The Sinking Fund*; and also the Sum of six hundred and nineteen thousand three hundred and three Pounds seven Shillings and Three-pence three Farthings, remaining in the Receipt of the Exchequer on the fifth Day of *April*, one thousand seven hundred and seventy-four, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and also the Sum of one hundred and twenty-six thousand nine hundred and eighty-one Pounds seven Shillings and Five-pence, now remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and seventy-three; and also such of the Monies as shall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thousand seven hundred and seventy-four, and on or before the fifth Day of *April*, one thousand seven hundred and seventy-five, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his present Majesty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and also the Sum of twenty thousand two hundred and thirty-seven Pounds five Shillings and Three-pence, remaining in the Receipt of the Exchequer, of the Monies arisen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the sixth Year of his present Majesty's Reign; and also of such imprest Monies as remain there for the Disposition of Parliament; and also the Sum of sixteen thousand five hundred Pounds and Four-pence, being the Balance remaining in the Hands of the Deputy Treasurer of *Chelsea Hospital*, on account of the Deduction of Twelve-pence in the Pound upon Monies issued to him for the Out-pensioners of *Chelsea Hospital*; and also the Sum of thirty thousand five hundred and sixty-one Pounds nine Shillings and Three-pence, paid into the Receipt of the Exchequer, in pursuance of two Acts, made in the second and ninth Years of the Reign of his present Majesty, by the Receivers General of the several Counties in *England* and *Wales*, that have not raised the Militia, shall and may be issued and applied at the said Receipt of his Majesty's Exchequer, for and towards making good the said Supply; 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.

Monies remaining for the Disposition of Parliament; and 16,500 l. 4s. in the Hands of the Treasurer of *Chelsea Hospital*; and 30,561 l.

XII. And be it further enacted by the Authority aforesaid, That a Sum not exceeding fifteen thousand Pounds, out of such Monies as are or shall be paid into the Receipt of the Exchequer on or before the fifth Day of *April*, one thousand seven hundred and seventy-five, of the Produce of all or any of the Duties and Revenues which by any Act or Acts of Parliament have been directed to be reserved for the Disposition of Parliament, towards defraying the necessary Expences of defending, protecting, and securing, the *British Colonies* and Plantations in *America*, be applied towards making good such Part of the Supply as hath been granted to his Majesty for maintaining his Majesty's Forces and Garrisons in the Plantations, and for Provisions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, and the ceded Islands, for the Year one thousand seven hundred and seventy-four: 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.

XIII. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-four*; and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made, or to be made, on the same Act, and all the Interest, Premium, Rate, and Charges thereon; and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer, to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-four*; and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made, or to be made, on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges allowable thereby for raising the said Land Tax shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also the Sum of one million two hundred and fifty thousand Pounds, granted by one other Act of this Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-four*; and also all the Monies coming into the Exchequer by Contributions for a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for redeeming the Sum of one million of the Capital Stocks of three Pounds per Centum Annuities, in the Manner, and on the Terms, therein mentioned; and for establishing a Lottery*; and also the said Sum of one hundred and thirteen thousand one hundred and ninety Pounds eleven Shillings and Seven-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *January*, one thousand seven hundred and seventy-four, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and overplus Monies, and other Revenues of the Fund commonly called *The Sinking Fund*; and also the said Sum of six hundred and nineteen thousand three hundred and three Pounds seven Shillings and Three-pence three Farthings, remaining in the

The Receipt of the Exchequer on the fifth Day of *April*, one thousand seven hundred and seventy-four, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and also the said Sum of one hundred and twenty-six thousand nine hundred and eighty-one Pounds seven Shillings and Five-pence, now remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and seventy-three; and also such of the Monies as shall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thousand seven hundred and seventy-four, and on or before the fifth Day of *April*, one thousand seven hundred and seventy-five, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his present Majesty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and also the said Sum of twenty thousand two hundred and thirty-seven Pounds five Shillings and Three-pence, remaining in the Receipt of the Exchequer, of the Monies arisen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the sixth Year of his present Majesty's Reign, and also of such imprest Monies as remain there for the Disposition of Parliament; and also the said Sum of sixteen thousand five hundred Pounds and Four-pence, being the Balance remaining in the Hands of the Deputy Treasurer of *Chelsea Hospital*, on account of the Deduction of Twelve-pence in the Pound upon Monies issued to him for the Out-pensioners of *Chelsea Hospital*; and also the said Sum of thirty thousand five hundred and sixty-one Pounds nine Shillings and Three-pence, paid into the Receipt of the Exchequer, in pursuance of two Acts, made in the second and ninth Years of the Reign of his present Majesty, by the Receivers-general of the several Counties in *England* and *Wales*, that have not raised the Militia; and also the further Sum of two millions, and eighty thousand six hundred and ninety-six Pounds twelve Shillings and Eight-pence Farthing, by this Act granted, out of such Monies as shall or may arise of the Surplusses, Excesses, or overplus Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, shall be further appropriated, and are hereby appropriated, and shall be issued and applied, for and towards the several Uses and Purposes hereafter expressed, together with the Residue of the Monies arising from the Sale of *French Prizes* taken before the Declaration of the late War, which his Majesty declared in a most gracious Speech to his Parliament, that he had directed, for the Ease of his Subjects, to be applied to the publick Service; and also such Sum or Sums of Money as his Majesty, according to his most gracious Intentions, expressed in the same Speech, shall direct, for the further Ease of his Subjects, to be also applied to the publick Service, out of the Monies which have arisen, or shall arise, by the Sale of Lands belonging to his Majesty in the Islands of the *West Indies*, which were ceded to his Majesty by the late Treaty of Peace.

that have not raised the Militia; and 2,080,696l. 12s. 8d. 19. by this Act granted, out of the Excesses, &c. composing the Sinking with the Money arising from the Sale of French Prizes taken before the Declaration of War; and also such Sums of Money as his Majesty applied to the publick Service, which shall arise by the Sale of the ceded Islands in the West Indies.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million nine hundred and four thousand nine hundred and seventeen Pounds four Shillings and Three-pence, for or towards the naval Services herein particularly expressed; (that is to say), For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed, and to be performed; and for or towards Sea Services in the Office of Ordnance, performed, and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea and Marine Officers; and for or towards maintaining four thousand three hundred and fifty-four Marines; and towards the Buildings, Rebuildings, and Repairs, of Ships of War in his Majesty's Yards, and other *extra Works*, over and above what may be done upon the Heads of Wear and Tear, and Ordinary, for the Year one thousand seven hundred and seventy-four.

XV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two hundred thousand Pounds, towards paying off and discharging the Debt of the Navy.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall be issued and applied any Sum or Sums of Money, not exceeding two hundred and forty-four thousand six hundred and ninety-nine Pounds seventeen Shillings and Five-pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and seventy-four.

XVII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding twenty-six thousand four hundred and twenty-five Pounds and Two-pence, for defraying the Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament in one thousand seven hundred and seventy-three.

XVIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million five hundred and thirty-four thousand seven hundred and twenty Pounds fourteen Shillings and Eight-pence, and one-eighth Part of a Penny, for and towards maintaining his Majesty's Land Forces, and other Services herein-after more particularly expressed; (that is to say,) Any Sum or Sums of Money, not exceeding six hundred and thirty-eight thousand six hundred and thirty Pounds sixteen Shillings and Ten-pence, for defraying the Charge of eighteen thousand and twenty-four effective Men, commissioned and non-commissioned Officers included, and including one thousand five hundred and twenty-two Invalids for Guards, Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Jersey*, and *Guernsey*, for the Year

remaining in the Exchequer on April 5, 1774, for the Disposition of Parliament; and 126,981l. 7s. 5d. now remaining of the Grants for 1773; and such Monies as shall be paid into the Exchequer after April 5, 1775, of the Produce of the Duties on Gum Senega and Gum Arabic; and 20,237l. 5s. 3d. of the Monies on Rice exported, and Duties on Apples imported, and on Cambricks and Sugars, by Act 6 Geo. III. &c. and 16,500l. 4d. of Balance in the Hands of the Deputy Treasurer of *Chelsea Hospital*; and 30,561l. 9s. 3d. paid into the Exchequer by the Receivers-general in *England* and *Wales*, and together shall direct to be

Not exceeding 1,904,917l. 4s. 3d. to be issued out of the Supplies towards Naval Services.

200,000l. towards paying off the Debt of the Navy.

Not exceeding 244,699l. 17s. 5d. Charges of the Office of Ordnance.

26,425l. 2d. for Charges of the Office of Ordnance not provided for in 1773;

1,534,720l. 14s. 8d. and 1 8th of a Penny, towards the Land Forces; of which 638,620l. 16s. 10d. for detaching the Charges of 18,224 effective Men, &c.

And 1522 Inva-
lids for Guards,
&c. in Great
Britain, &c.
360,068 l. 13 s.
4 d. and 1-8th
of a Penny, for
Forces and Gar-
risons in Africa,
&c.
Not exceeding
4627 l. 3 s. to
make good the
Difference of
Pay between the
British and Irish
Establishment of
the Troops in
the Isle of Man
&c.; 11,473 l.
18 s. 6 d. 2 q.
for General and
General Staff
Officers in Great
Britain;
767,525 l. 19 s.
2 d. to the re-
duced Officers
of the Land
Forces and Ma-
rines; 1010 l.
2 s. 10 d. to the
Troops of Horse
Guards reduced,
&c. 628 l. to the
Pensions of Of-
ficers Widows;
Land Forces, and

Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding three hundred and sixty thousand and sixty-two Pounds thirteen Shillings and Four-pence, and one-eighth Part of a Penny, towards further maintaining his Majesty's Forces and Garrisons in the Plantations, and Africa, including those in Garrison at *Minorca* and *Gibraltar*, and for Provisions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, *Gibraltar*, the ceded Islands, and *Africa*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand six hundred and twenty-seven Pounds and Three-pence, for defraying the Charge of the Difference of Pay between the *British* and *Irish* Establishment of five Battalions and three Companies of Foot, serving in the *Isle of Man*, at *Gibraltar*, *Minorca*, and the ceded Islands, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding eleven thousand four hundred and seventy-three Pounds eighteen Shillings and Six-pence Halfpenny, for the Pay of the General and General Staff Officers in *Great Britain*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one hundred and seven thousand five hundred and twenty-five Pounds nineteen Shillings and Two-pence, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one thousand and ten Pounds two Shillings and one Penny, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding six hundred and twenty-eight Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December*, one thousand seven hundred and sixteen, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one hundred and twenty-two thousand seven hundred and thirty-one Pounds and five Shillings, upon Account, towards defraying the Charge of Out-pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money not exceeding two hundred and eighty-eight thousand and thirty Pounds nineteen Shillings and Five-pence Halfpenny, towards defraying the extraordinary Expences of his Majesty's Land Forces, and other Services incurred between the twenty-fourth Day of *March*, one thousand seven hundred and seventy-three, and the twenty-second Day of *April*, one thousand seven hundred and seventy-four, and not provided for by Parliament.
122,731 l. 5 s. to the Out-pensioners of *Chelsea Hospital*; not exceeding 288,030 l. 19 s. 5 d. 2 q. towards extraordinary Expences of the other Services incurred, and not provided for.

1,000,000 l. for
discharging Ex-
chequer Bills of
last Session.

XIX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of one million, for paying off and discharging the Exchequer Bills made out by virtue of an Act, passed in the last Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Loans, or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-three*, and charged upon the first Aids to be granted in this Session of Parliament.

20,100 l. to
make good to
his Majesty the
like Sum issued
in pursuance of
the Addresses of

XX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of ten thousand one hundred Pounds, to make good to his Majesty the like Sum which has been issued by his Majesty's Orders, in pursuance of the Addresses of the House of Commons.

4346 l. 10 s. 5 d.
for supporting
the Civil Estab-
lishment of
Nova Scotia;
3086 l. for the
Civil Establi-
shment of *Georgia*;

XXI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding four thousand three hundred and forty-six Pounds ten Shillings and Five-pence, upon Account, for maintaining and supporting the Civil Establishment of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding three thousand and eighty-six Pounds, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand nine hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his Majesty's Colony of *East Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand eight hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his Majesty's Colony of *West Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding two thousand and eighty-five Pounds and four Shillings, upon Account, for defraying the Expences attending General Surveys of his Majesty's Dominions in *North America*, for the Year one thousand seven hundred and seventy-four.

Not exceeding
4950 l. for the
Civil Establi-
shment of *East
Florida*;
4850 l. for the
Civil Establi-
shment of *West
Florida*;

2085 l. 4 s. for
defraying
Expences at-
tending Surveys
in *North Ame-
rica*;

13,000 l. for
repairing and
maintaining the
forts in *Africa*;
36 l. 9 d. 2 q.
for

XXII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding thirteen thousand Pounds, to be employed in repairing, maintaining, and supporting, the *British* Forts and Settlements on the Coast of *Africa*; and any Sum or Sums of Money, not exceeding six thousand three hundred and thirty-six Pounds and Nine-pence Halfpenny, upon Account, for defraying the Expence of supporting and maintaining the Civil Establishment of the Government of *Senegambia*, on that Part of the Coast

Coast of *Africa* situate between the Port of *Sallee*, in South *Barbary*, and *Cape Rouge*, for the Year one thousand seven hundred and seventy-four.

XXIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two thousand Pounds, towards enabling the Trustees of the *British Museum* to carry on the Execution of the Trusts reposed in them by Parliament.

XXIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding six thousand nine hundred and ninety-eight Pounds eighteen Shillings and Seven-pence, upon account of the Expences of the new Roads of Communication, and building Bridges in the Highlands of *North Britain*, in the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding two hundred and fifty thousand Pounds, towards defraying the Expences which shall be incurred in calling in and recoining the deficient Gold Coin, in pursuance of the Resolutions of the House of Commons of the tenth Day of *May*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding two thousand five hundred Pounds, to be paid to *David Hartley* Esquire, towards enabling him to defray the Charge of Experiments, in order to ascertain the Practicability and Utility of his Discovery of a Method to secure Buildings and Ships from Fire, and that the same be paid without Fee or Reward.

for enabling him in the Charge of his Discovery to secure Buildings, &c.

XXV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of eight hundred and eighty thousand Pounds, to enable his Majesty to satisfy and make good the several Sums payable to the Persons who have subscribed their capital Stock of three Pounds *per Centum* Annuities, to be discharged and annihilated upon the Terms expressed in the Resolution of the House of Commons of the nineteenth Day of *May*, one thousand seven hundred and seventy-four.

XXVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding forty-three thousand six hundred and forty-five Pounds twelve Shillings and Eight-pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July*, one thousand seven hundred and seventy-three, of the Fund established for paying Annuities granted by an Act, made in the thirty-first Year of the Reign of his late Majesty, towards the Supply granted for the Service of the Year one thousand seven hundred and fifty-eight.

XXVII. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies, provided as aforesaid, shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the said Deficiency, or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose, contained in any other Act or Acts of this present Session of Parliament.

XXVIII. And as to the Sum of one hundred and seven thousand five hundred and twenty-five Pounds nineteen Shillings and Two-pence, by this Act appropriated on account of Half Pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein-after prescribed shall be duly observed in the Application of the said Half Pay; that is to say, That no Person shall have or receive any Part of the same who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop, or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Person who did actual Service in some Regiment, Troop, or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half Pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland* shall have or receive any Part of the said Half Pay; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person, by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half Pay in *Great Britain*.

XXIX. And whereas by an Act of Parliament, made in the thirteenth Year of his present Majesty's Reign, (intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-three; and for further appropriating the Supplies granted in this Session of Parliament; and for paying to John Harrison a further Reward for his Invention of a Time-keeper for ascertaining the Longitude at Sea, and his Discovery of the Principles upon which the same was constructed*); the several Supplies which had been granted to his present Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money, not exceeding one hundred and eleven thousand one hundred and twenty-seven Pounds five Shillings and Ten-pence, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines for the Year one thousand seven hundred and seventy-three, subject nevertheless to such Rules to be observed in the Application of the said Half Pay, as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, by the Authority aforesaid, That so much of the said Sum of one hundred and eleven thousand one hundred and twenty-seven Pounds five Shillings and Ten-pence, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed, or have lost their Limbs in the late Wars, or such others as, by reason of

the Civil Establishment of *Senegambia*. Not exceeding 2000*l*: to the Trustees of the *British Museum*, &c. 6998*l*. 18*s*. 7*d*: on account of the Expence of the New Roads, &c. in the Highlands of *Scotland* in 1774. 2500*ool* for defraying the Deficiency of the Gold Coin, &c. 2500*l*. to Mr. *Hartley*, from Fire.

880,000*l*. granted to his Majesty, to be payable to Persons who have subscribed their Capital of 3 per Cent, &c. Not exceeding 43,645*l*. 12*s*. 8*d*. to the Sinking Fund to make good the Deficiency on July 5, 1773.

The said Aids to be applied only to the Uses before mentioned.

Rules to be observed in the Application of the Half Pay.

By Act 13 Geo. 3.

a Sum not exceeding 111,127*l*. 5*s*. 10*d*. was appropriated to be paid to the reduced Officers. Overplus Monies, above satisfying said Officers, to be disposed of to

Officers who were maimed, &c. in the late Wars, or to Officers Widows and Children,

their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.

XXX. And be it further enacted by the Authority aforesaid, That the Sum of twenty-three thousand six hundred and thirty-seven Pounds eleven Shillings and Ten-pence three Farthings, remaining in the Receipt of the Exchequer, on the fifth Day of April, one thousand seven hundred and seventy-four, of the two-seventh Parts of the additional Rates and Duties of Excise, granted by an Act of Parliament made in the fifth and sixth Years of the Reign of King William and Queen Mary, after satisfying the several Charges and Incumbrances thereupon for the Half Year then ended, be carried to and made Part of the Fund commonly called *The Aggregate Fund*; and that such Annuities and other Demands payable out of the said Sum, as the growing Produce of the two-seventh Parts of the said Excise shall not be sufficient to answer, shall be charged upon, and payable out of the said Fund, commonly called *The Aggregate Fund*; and the Commissioners of the 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 impowered to authorise the Payment out of the said Fund of such Monies as shall be necessary to make good any such Deficiency or Deficiencies.

By Act 10 Geo. 3. 72, 1000 was granted for discharging Debts on the forfeited Estate of the late Earl of Cromarty, &c.

XXXI. And whereas, by an Act passed in the tenth Year of his present Majesty's Reign, (intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned, for the Service of the Year one thousand seven hundred and seventy; and for further appropriating the Supplies granted in this Session of Parliament*); it is enacted, That there should be issued and applied any Sum or Sums of Money, not exceeding seventy-two thousand Pounds, for paying and discharging the Debts claimed and sustained upon the Lands and Estates which became forfeited to the Crown, by the Attainder of *George late Earl of Cromarty*, and others: And whereas for the better and more easy paying and discharging the Debts of Creditors upon the Lands and Estates of *Cromarty*, and others, they were thereby directed and required, on or before the fifth Day of July, in the Year one thousand seven hundred and seventy, to produce, or cause to be produced, in his Majesty's Court of Exchequer in *Scotland*, the Decree or Decrees of the Court of Session, sustaining the said Claims; and upon producing the same, the Barons of the said Court of Exchequer were thereby impowered and required to make out Debentures or Certificates for the several Sums of Money and Interest, which should appear to be due by and under the said Decrees respectively, upon the Receiver General of his Majesty's Land Rents, and Casualties, in that Part of *Great Britain* called *Scotland*; and that the said Claim or Claims should not carry any further Interest, from and after the fifth Day of July, one thousand seven hundred and seventy: And whereas *Lady Anne Mackenzie*, Sister to *George late Earl of Cromarty*, entered a Claim upon the Estate of *Cromarty*, for the Sum of five hundred Pounds, contained in a Bond to her from the said late Earl, with the legal Interest, from the Term of *Whitsunday*, one thousand seven hundred and forty-four, which Interest she was intituled to receive at two Terms in the Year, in which Bond there was this Condition, "That in case she should die unmarried, the said Sum of five hundred Pounds should return to the said late Earl, and his Heirs, succeeding to him in his Estate of *Cromarty*, in the same Manner as if the said Bond had not been made to her:" And whereas by a Decree of the Court of Session the first Day of July, one thousand seven hundred and fifty-six, she was found a just and lawful Creditor of the said *George late Earl of Cromarty*, for the principal Sum of five hundred Pounds, and Interest, from *Whitsunday* one thousand seven hundred and forty-five, and in Time coming, till Payment, according to the Condition of the Bond: And whereas the Barons of the Court of Exchequer in *Scotland*, on account of the Condition in the said Bond, did not think themselves authorised to order the said *Lady Anne Mackenzie* Payment of the said Sum of five hundred Pounds out of the seventy-two thousand Pounds voted by Parliament, for paying the Debts upon the forfeited Estates, she still remaining unmarried: And whereas the said *Lady Anne Mackenzie*, by the said Decree, is intituled to receive the Interest of the said Sum of five hundred Pounds yearly, at the Rate of five Pounds *per Centum*: And whereas it may be a Doubt whether the said Interest ought to be paid out of the Rents of the Estate of *Cromarty*, since the Annexation thereof: And whereas the said Sum of five hundred Pounds is lying in the Hands of the Receiver-General, without Interest, by which Means the said *Lady Anne Mackenzie* may be exposed to great Difficulties and Distress; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Barons of the Court of Exchequer in *Scotland*, and they are hereby impowered and required to make out the Debenture or Certificate, under their Hands, to the Receiver-General of his Majesty's Land Rents and Casualties, in that Part of *Great Britain* called *Scotland*, for Payment of the said principal Sum of five hundred Pounds, to the said *Lady Anne Mackenzie*, to be had and retained by her, to her own Use, notwithstanding the Condition in the said Bond; which Sum of five hundred Pounds Sterling is to be paid upon Sight, and without Abatement, out of the Balance in the said Receiver's Hands, remaining, of the said Sum of seventy-two thousand Pounds, granted for paying the Creditors of forfeited Estates; and the said Debenture and Certificate shall be a sufficient Discharge to the said Receiver of the said Sum of five hundred Pounds; and upon such Payment, the said Estate of *Cromarty* shall be for ever acquitted, exonerated, and discharged, against the said *Lady Anne Mackenzie*, her Heirs, Executors, and Assigns, touching the said Claim, and from all Demands whatsoever in respect of the same.

Out of the said Sum of 72,000l. Barons of the Exchequer in Scotland, to make out a Debenture to his Majesty's Receiver-general of Land Rents there, for Payment of 500l. to *Lady Anne Mackenzie*; which Debenture to be a sufficient Discharge.

C A P. LXXXVI.

An Act to continue several Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the clandestine running of uncustomed Goods, and preventing Frauds relating to the Customs; to the Encouragement of the Silk Manufactures, and for taking off several Duties on Merchandise exported, and reducing other Duties; to prevent the clandestine running of Goods, and the Danger of Infection thereby; to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majesty's Plantations in *America*; to the free Importation of Cochineal and Indico; to the prohibiting the Importation of Books reprinted abroad, and first composed, written, and printed in *Great Britain*; to the Bounty on the Exportation of *British*-made Cordage; to the free Importation of certain raw Hides and Skins from *Ireland*, and the *British* Plantations in *America*; to the regulating the Fees of Officers of the Customs, and Naval Officers in *America*; to the preventing the spreading of the contagious Disorder among the Horned Cattle in *Great Britain*; and to extend the Provisions of an Act of the twelfth Year of the Reign of King *George* the First, for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties, so far as relates to the commencing Prosecutions for Penalties against the Revenue of Customs to subsequent Acts.

WHEREAS the Laws herein-after mentioned, which have by Experience been found useful and beneficial, are near expiring; 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 a Clause in an Act, made in the ninth and tenth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act to settle the Trade to Africa, for allowing, during a limited Time, a Drawback of the Duties upon the Exportation of Copper Bars imported*, and which Clause was to continue in Force for the Term of thirteen Years, and from thence to the End of the then next Session of Parliament; and which Clause, after the Expiration thereof, was, by an Act, made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, revived, and continued; and also a Proviso in the last-mentioned Act contained, that no Drawback should be allowed on the Exportation of any Copper, but such as had been, or should be, imported from the *East Indies*, and the Coast of *Barbary* only; and which said Clause and Proviso, by several subsequent Acts of the thirteenth Year of the Reign of his late Majesty King *George* the First, and of the fifteenth, twenty-sixth, and thirty-second Years of the Reign of his late Majesty King *George* the Second, and of the sixth Year of the Reign of his present Majesty, were continued until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Preamble.

Clause in Act 9 and 10 Gul. 3. allowing a Drawback on the Exportation of Copper Bars imported, revived by 12 Annæ respecting Bars imported from the East Indies and Barbary only, and continued by Act 13 Geo. I. 15, 26, and 32 Geo. II. and 6 Geo. III. till June 24, 1781.

1774, further continued until June 24,

II. And be it further enacted by the Authority aforesaid, That the several Clauses in an Act, made in the fifth Year of the Reign of his Majesty King *George* the First, intituled, *An Act against clandestine Running of uncustomed Goods; and for the more effectual preventing of Frauds relating to the Customs*; relating to such Foreign Goods, Wares, and Merchandises, as shall be taken in at Sea, out of any Ship or Vessel, in order to be landed or put into any other Ship or Vessel, or Boat; and also relating to Goods not reported and found after clearing Ships, and whereby further Remedies are provided against relanding Goods prohibited to be worn in this Kingdom, and foreign Goods shipped out for Parts beyond the Seas; and also relating to the opening or altering the Package of Goods on board Ships outward bound; and also relating to hovering Ships or Vessels of the Burthen of fifty Tons, or under; and also concerning the Bales or Package in which Coffee shall be exported; and also relating to Rum imported in Casks or Vessels not containing twenty Gallons at the least; and also relating to Certificate Goods entered in order to be exported to *Ireland*, which were to have Continuance for the Term of three Years from the several Times of the Commencement thereof, and from thence to the End of the then next Session of Parliament respectively; and which, by several subsequent Acts, passed in the ninth Year of his said Majesty's Reign, and in the second, eighth, fifteenth, sixteenth, twentieth, twenty seventh, and thirty-third Years of the Reign of his late Majesty King *George* the Second; and of the seventh Year of the Reign of his present Majesty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Clauses in Act 5 Geo. I. relating to foreign Goods taken at Sea, &c.

and by Act 9 Geo. I. 8, 15, 16, 20, 27, and 33 Geo. II. 7 Geo. III. continued until Sept. 29, 1774, further continued till Sept. 29, 1781.

III. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the eighth Year of the Reign of his late Majesty King *George* the First, for the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandises exported; and for reducing the Duties upon

Act 8 Geo. I. relating to the Encouragement of Silk Manufactures, &c.

Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for Importation of all Furs of the Produce of the British Plantations into this Kingdom only; and that the two Corporations of Assurances in any Suits brought on their Policies shall be liable only to single Damages and Costs of Suit; as relates to the Encouragement of the Silk Manufactures of this Kingdom; and to the taking-off several Duties on Merchandises exported, which was to continue in Force for three Years, from the twenty-fifth Day of March, one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts, made in the eleventh Year of the Reign of his late Majesty King George the First, and in the second, eighth, fifteenth, twentieth, twenty-sixth, and thirty-second Years of the Reign of his late Majesty King George the Second, and of the sixth Year of the Reign of his present Majesty, hath been continued until the twenty-fourth Day of June, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of June, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

and by Act 11
Geo. 1. 2, 8, 15,
20, 26, & 32
Geo. 2. 6 Geo. 3.
continued till
June 24, 1774.

further continu-
ed till June 24,
1781.

Act 8 Geo. 1.
and several sub-
sequent Acts, to
prevent clan-
destine Running
of Goods, &c.

(Exception.)

and by Act 20
Geo. 2. conti-
nued till June 1,
1784, and by
subsequent Acts
of 21, 27, & 33
Geo. 2. and
7 Geo. 3. con-
tinued till Sept.
29, 1774,
further conti-
nued till Sept.
29, 1781.

Act 8 Geo. 1.
recited, reflect-
ing the running
of prohibited
Goods.

A *Capias* to be
issued against
Persons prose-
cuted for Offen-
ces committed
against the Act.

Act 2 Geo. 2.
for the Preser-
vation of his
Majesty's Woods
in America, &c.

and by Acts 13,
24, 25, & 32
Geo. 2. and

IV. And be it further enacted by the Authority aforesaid, That an Act made in the eighth Year of the Reign of his late Majesty King George the First, intituled, *An Act to prevent the clandestine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarantine; and to subject Copper Ore, of the Production of the British Plantations, to such Regulations as other enumerated Commodities of the like Production are subject,* which was to be in Force for two Years, from the twenty-fifth Day of March, one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts (except the Clauses obliging all Ships and Vessels to perform Quarantine), was to have further Continuance to the first Day of June, one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which, by an Act, made in the twentieth Year of the Reign of his late Majesty King George the Second, was intended to be further continued to the first Day of June, one thousand seven hundred and fifty-four, but by Mistake, the Year one thousand seven hundred and forty-seven was inserted therein, instead of the said Year one thousand seven hundred and fifty-four; and which, by several subsequent Acts, made in the twenty-first, twenty-seventh, and thirty-third Years of the Reign of his said late Majesty, and of the seventh Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of September, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of September, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

V. And whereas by the said last-recited Act, made in the eighth Year of the Reign of his late Majesty King George the First, reciting; "And whereas several Persons, guilty of the clandestine running of Brandy, or other customable or prohibited Goods, or of receiving such Goods, knowing the same to have been so run, do frequently remove from their usual Places of Abode into some other Country, and are there called by other than their true Names, to avoid their being prosecuted with Effect for such their notorious Offences; it is therefore, amongst other Things, enacted by the said recited Act, That if any Person or Persons shall be guilty of any Offence or Offences, contrary to the true Intent and Meaning of that or any other Act of Parliament made for the preventing clandestine running of Brandy, or other customable or prohibited Goods, or of receiving such Goods into his or their House, Shop, or Warehouse, Custody, or Possession, knowing the same to be so run; such Person and Persons shall and may be prosecuted for any of the Offences or Matters aforesaid, by Action, Bill, Plaint, or Information, and thereupon a *Capias*, in the first Process, specifying the Sum of the Penalty sued for, shall and may issue; and such Person or Persons shall be obliged to give sufficient Bail or Security, by natural-born Subjects or Denizens, to the Person or Persons to whom such *Capias* shall be directed, to appear in the Court out of which such *Capias* shall issue, at the Day of Return of such Writ, to answer such Suit and Prosecution; and shall likewise, at the Time of such appearing, give sufficient Bail or Security by such Persons as aforesaid, in the said Court, to answer and pay all the Forfeitures and Penalties incurred for such Offence or Offences, in case he or they shall be convicted thereof, or to yield his or their Body or Bodies to Prison:" And whereas it is expedient, that the Provision hereinbefore mentioned should extend to Offences committed against any Act of Parliament for preventing Frauds in his Majesty's Revenue of Customs, which hath been or may be made after the passing of the said in-part recited Act; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, a *Capias*, in the first Process, requiring Bail and Security, in the Manner directed by the said recited Act, shall and may issue, in like Manner, against any Person or Persons prosecuted for any Offence committed contrary to the true Intent and Meaning of any Act or Acts of Parliament now made, or hereafter to be made, for preventing the clandestine importing, running, or exporting, or relanding, any customable or prohibited Goods whatsoever, or for receiving such Goods into his or their House, Shop, or Warehouse, Custody, or Possession, knowing the same to be so prohibited, run, or relanded; any Custom or Usage to the contrary notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the Second Year of the Reign of his late Majesty King George the Second, for the better Preservation of his Majesty's Woods in America; and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Masts, Yards, and Bowsprits, from that Part of Great Britain called Scotland, as relates to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine, which was to continue in Force from the Twenty-ninth Day of September, one thousand seven hundred and twenty-nine, for the Term of thirteen Years, and to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the thirteenth and twenty-fourth Years of his said late Majesty's Reign, was further continued until the twenty-fifth Day of December, one thousand

seven

seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the twenty-fifth Year of the Reign of his said late Majesty, was amended, and further continued until the twenty-fifth Day of *March*, one thousand seven hundred and fifty-eight; and which, by another Act, made in the thirty-second Year of the Reign of his said late Majesty, was further continued until the twenty-fourth Day of *June*, one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the sixth Year of the Reign of his present Majesty, was further continued, until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

VII. And be it further enacted by the Authority aforesaid, That an Act, made in the fifth Year of the Reign of his late Majesty King *George the Second*, for encouraging the Growth of Coffee in his Majesty's Plantations in *America*, which was to continue in Force from the twenty-fifth Day of *March*, one thousand seven hundred and thirty-five, until the twenty-fifth Day of *March*, one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the eleventh, nineteenth, twenty-fifth, and thirty-second Years of his said late Majesty's Reign, and of the sixth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, except such Part thereof as relates to the Importation and Exportation of foreign Coffee into and from the *British Colonies* and Plantations in *America*, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

VIII. And be it further enacted by the Authority aforesaid, That an Act, made in the seventh Year of the Reign of his late Majesty, intituled, *An Act for the Revival of an Act, made in the thirteenth Year of the Reign of his late Majesty King George the First, intituled, An Act for the free Importation of Cochineal during the Time therein limited; and also for the free Importation of Indico*; which was to continue in Force from the twenty-fourth Day of *June*, one thousand seven hundred and thirty-four, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, passed in the fourteenth, twentieth, twenty-seventh, and thirty-third Years of his said late Majesty's Reign, and of the seventh Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

IX. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the twelfth Year of the Reign of his late Majesty, intituled, *An Act for prohibiting the Importation of Books reprinted abroad, and first composed or written and printed in Great Britain; and for repealing so much of an Act, made in the eighth Year of the Reign of her late Majesty Queen Anne, as impovers the limiting the Prices of Books*; which Act was to continue in Force from the twenty-ninth Day of *September*, one thousand seven hundred and thirty-nine, for the Space of seven Years, and from thence to the End of the then next Session of Parliament; and which, so far as relates to the prohibiting the Importation of Books reprinted abroad, and first composed or written and printed in *Great Britain*, by several subsequent Acts, made in the twentieth, twenty-seventh, and thirty-third Years of his late Majesty's Reign, and of the seventh Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

X. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for allowing a Bounty on the Exportation of British-made Cordage; and for discontinuing the Drawbacks upon foreign rough Hemp exported*, which was to be in Force from the first Day of *July*, one thousand seven hundred and sixty-six, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which by another Act, made in the twelfth Year of the Reign of his present Majesty, was amended and further continued for the Term of three Years, shall be, and the same is hereby further continued, from the Expiration thereof, for the further Term of three Years, and from thence to the End of the then next Session of Parliament.

XI. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the ninth Year of the Reign of his present Majesty, as relates to the free Importation of certain raw Hides and Skins from *Ireland*, and the *British Plantations in America*, which was to continue in Force for five Years, from the first Day of *June*, one thousand seven hundred and sixty-nine, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby continued, from the Expiration thereof, for the further Term of five Years, and from thence to the End of the then next Session of Parliament.

XII. And be it further enacted by the Authority aforesaid, That so much of two Acts, made in the fifth and tenth Years of the Reign of his present Majesty, as relates to the regulating the Fees of the Officers

6 Geo. 3. was amended and continued till June 24, 1774.

to be further continued till 1781.

Act 5 Geo. 2. for encouraging the Growth of Coffee,

and by Acts 18, 19, 25, & 32 Geo. 2. 6 Geo. 3. continued till June 24, 1774, (Exception.) further continued till June 24, 1781.

Act 7 Geo. 2. for the free Importation of Cochineal, &c.

and by 14, 20, 27, & 33 Geo. 2. 7 Geo. 3. was continued till Sept. 29, 1774.

further continued till Sept. 29, 1781.

Act 12 Geo. 2. prohibiting the Importation of Books reprinted abroad, &c.

and by 20, 27, & 33 Geo. 2. 7 Geo. 3. continued till Sept. 29, 1774.

further continued till Sept. 29, 1781.

Act 6 Geo. 3. for allowing a Bounty on the Exportation of British-made Cordage, &c. and by Act 10 Geo. 3. was amended and continued, Years,

Act 9 Geo. 3. relating to the free Importation of raw Hides from Ireland, &c. further continued for five Years.

So much of two Acts 5 and 10

Geo. 3. as relates to Fees of Officers of the Customs in America, and which was by Act 12 Geo. 3. continued till Aug. 1, 1774, further continued till Aug. 1, 1778.
 Act 10 Geo. 3. to prevent the contagious Disorder among the Horned Cattle, and by Act 12 Geo. 3. continued till Sept. 29, 1774, further continued till Sept. 29, 1776.
 Act 12 Geo. 3. recited.

Officers of the Customs in *America*, and for extending the same to the Naval Officers there, which was to be in Force from the first Day of *August*, one thousand seven hundred and seventy, for the Term of two Years, and from thence to the End of the then next Session of Parliament; and which was, by an Act made in the twelfth Year of his present Majesty, further continued, from the Expiration thereof, until the first Day of *August*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the first Day of *August*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament.

XIII. And be it further enacted by the Authority aforesaid, That an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act to prevent the further spreading of the contagious Disorder among the Horned Cattle in Great Britain*, which was to continue in Force from the Commencement thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-one, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the twelfth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament.

XIV. And whereas by an Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *George the First*, intituled, *An Act for the Improvement of his Majesty's Revenues of the Customs, Excise, and Inland Duties*, reciting, That great Quantities of prohibited Goods, and Goods liable to the Payment of Customs, Excise, or Salt Duty, are, by evil-disposed Persons, fraudulently landed in this Kingdom, and Goods pretended to be shipped outwards, intituled to a Drawback or Bounty, are frequently not shipped, or after the shipping thereof relanded, whereby they become liable to several Penalties; but knowing themselves subject to be prosecuted for the said Offences, and that their fraudulent Practices may in Time be discovered, do frequently, before any Discovery can be made by the Officers of the Revenues, cause Informations to be entered and filed against themselves in some of the Courts at *Westminster* or *Edinburgh*, in the Name of some Person or Persons in his, her, or their Behalf; and if no Discovery be made of the said fraudulent Practices by the Officers of the Revenues, the said Informations are never prosecuted; but in case the said Frauds are discovered by any Officer or Officers of the Revenues, who thereupon enter and file real Informations against such Offender and Offenders, then either some secret Agreement or Agreements is or are made by such Offender or Offenders with such Person or Persons who have filed or exhibited such Informations on the Behalf of such Offender or Offenders, or else a Plea or Pleas of Priority of Suit is or are pleaded in bar of such real Informations prosecuted by the Officers of the Revenues, whereby the said Offenders evade the several Penalties inflicted by Law, to the great Prejudice of the Crown, and also the Discouragement of real Prosecutions: For Prevention of which fraudulent Practices, it is by the said Act enacted, That it shall not be lawful for any Person or Persons whatsoever to enter, or cause or procure to be entered, filed, or prosecuted, any Information or Informations, in any of the said Courts, against any Person or Persons, for the Recovery of any Penalty or Penalties inflicted by any of the Laws of the Customs, Excise, and the Duty upon Salt, unless the same be entered, filed, and prosecuted, in the Name of his Majesty's Attorney General, or in the Name or Names of some Officer or Officers of some or one of the aforesaid Revenues of Customs, Excise, or Salt Duty; and if any Information or Informations is or are entered in any other Persons Name or Names than as is before mentioned, the same, and all Proceedings thereupon had, are thereby declared to be null and void, and the said Court or Courts, where such Information or Informations is, are, or shall be so entered, filed, or prosecuted, shall not permit or suffer any Proceeding or Proceedings to be had thereupon, and shall cause such Information or Informations to be taken off the File: And whereas, since the passing of the said recited Act, various pecuniary Penalties have been inflicted by several Acts of Parliament against Persons importing various Goods and Commodities, which are prohibited to be imported into or worn or used in this Kingdom, and against Persons working up such Goods, or selling or exposing the same to Sale, or for having such Goods in their Houses, Shops, Warehouses, Custody, or Possession, for those Purposes, one Moiety of which Penalties are given by Law to his Majesty, and the other Moiety to any Person who will sue and prosecute for the same: And whereas there is reason to believe that several Prosecutions have been commenced for such Penalties by common Informers, who have, in consequence thereof, extorted various Sums of Money from his Majesty's Subjects, and stopped such Prosecutions without any legal Authority, or accounting to his Majesty for any Part of the Money so received by them; for preventing such Practices in future be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, the said herein-before in-part recited Act, made in the twelfth Year of the Reign of his late Majesty King *George the First*, shall extend, and be deemed to extend, to the suing for, prosecuting, and recovering, of any Penalty or Penalties inflicted by any Act or Acts of Parliament, now made, or hereafter to be made, for preventing the Importation, Wear, or Use, of any prohibited Goods or Commodities whatsoever in this Kingdom, where his Majesty, his Heirs or Successors, is, are, or may be intituled to any Part or Share of the Penalty or Penalties thereby incurred; any Law, Custom, or Usage, to the contrary in anywise notwithstanding.

and after passing of this Act, to extend to prosecuting of Penalties for prohibited Goods, &c.

C A P. LXXXVII.

An Act to prevent the Mischiefs that arise from driving Cattle within the Cities of *London* and *Westminster*, and Liberties thereof, and the Bills of Mortality.

WHEREAS the improper and cruel Manner in which Cattle are driven from *Smithfield* Market, within the City of *London*, through the Streets of the said City and Liberties thereof, the City of *Westminster*, and the Bills of Mortality, has occasioned great Mischief, and endangered the Lives of many of his Majesty's liege Subjects inhabiting therein; for preventing whereof for the future, may it please your most Excellent 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, if any Person or Persons, who shall be hired or employed to drive any Cattle within the said Cities of *London* or *Westminster*, or the Liberties thereof, or the Bills of Mortality, shall, by Negligence, or ill Usage, in the driving such Cattle, be the Means that any Mischief shall be done by such Cattle, or by any one or more of them, which shall be committed to his, her, or their Care; or if any Driver or Drivers of Cattle within the Limits aforesaid, shall in any-wise misbehave himself, herself, or themselves, in the Driving, Care, or Management of any such Cattle, by the improper driving, treating, or using of such Cattle; then, and in any of the said Cases, and so often as any of them shall happen, it shall and may be lawful to or for any Constable, or other Peace Officer, upon View thereof, or Information of any Person or Persons (who shall declare, his, her, or their Name or Names, and Place or Places of Abode, to the said Constable, or other Peace Officer), to seize and secure, by the Authority of this Act, and without any other Warrant to convey such Offender or Offenders before some Justice of the Peace of the said Cities of *London* or *Westminster*, or within the Bills of Mortality, and the Party or Parties accused being brought before such Justice within whose Jurisdiction the Offence shall be committed, such Justice shall proceed to examine, upon Oath, any Witness or Witnesses who shall appear or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information, as aforesaid, he, she, or they, so convicted, shall forfeit and pay any Sum not exceeding twenty Shillings, nor less than five Shillings, to the Person or Persons who shall prosecute to Conviction any such Offender or Offenders; and if the Person or Persons so convicted shall refuse or not be able forthwith to pay the Sum forfeited, every such Offender shall, by Warrant under the Hand and Seal of some Justice of the Peace within whose Jurisdiction the Person offending shall be convicted, be committed to the House of Correction, or some other Prison within the Cities of *London* or *Westminster*, or Liberties thereof, or within the Bills of Mortality, within which the Offence shall have been committed, or the Offender shall be apprehended, there to be kept to hard Labour for any Time not exceeding one Month, or shall be publicly whipped, as such Justice shall think fit and order.

II. And be it further enacted by the Authority aforesaid, That in case the Person or Persons giving such Information as aforesaid shall neglect or refuse to attend, without some lawful Excuse, to be allowed by the Justice, such Constable, or other Peace Officer, within the Space of six Hours from the Time of making such Information, he, she, or they, so offending, shall, upon Proof being made on the Oath of such Constable or Peace Officer, that such Person had given such Information as aforesaid (which Oath the said Justice is hereby authorized and required to administer), forfeit and pay any Sum not exceeding forty Shillings, nor less than ten Shillings, to such Constable or Peace Officer; and in case the same shall not, upon Demand being made by such Constable or Peace Officer, be forthwith paid, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice.

III. And be it further enacted, That the Court of Mayor and Aldermen of the City of *London* for the Time being shall have full Power and Authority to make, frame, and set down, in Writing, such reasonable Rules, Orders, or Ordinances, for governing and regulating all Persons who shall drive any Cattle, Sheep, Calves, or Lambs, within the said Cities of *London* or *Westminster*, and Liberties thereof, or the Bills of Mortality, and to annex reasonable Penalties and Forfeitures for the Breach of such Rules, Orders, and Ordinances, not exceeding forty Shillings, nor less than ten Shillings, for any one Offence; and such Rules, Orders, and Ordinances, or any of them, from Time to Time to alter and amend.

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to empower the said Court of Mayor and Aldermen to shorten or abridge the Time for keeping the said Market open; but that the same shall be kept open from the Hour of twelve of the Clock at Night till the Hour of three of the Clock in the Afternoon on the several Market Days, and at no other Hours, unless the said Court of Mayor and Aldermen shall judge it proper to enlarge the Time for keeping it open.

V. And be it further enacted by the Authority aforesaid, That any one Justice of the Peace of the Cities of *London* or *Westminster*, or within the Bills of Mortality, within whose Jurisdiction any Offence shall be committed, shall have Power to hear and determine, in a summary Way, Complaints of Offences that shall be committed contrary to any of the Rules, Orders, or Ordinances, at any Time hereafter to be made by the said Court of the Mayor and Aldermen in pursuance of this Act; and the said Justice or Justices, and each of them respectively within their respective Jurisdictions, is, and are hereby authorized and required, upon View, or upon Complaint made on Oath to them respectively of any such Offence

Preamble.

Any Persons driving Cattle in London and Westminster, and being the Cause of Mischief done by such Cattle;

Constables to secure and convey such Offenders to some Justice;

and, on Conviction, by Confession, &c. he shall forfeit not exceeding 20 s. nor less than 5 s.

or be committed for one Month, or publicly whipped.

Informers neglecting to attend, to forfeit not exceeding 40 s. nor less than 20 s.

Court of Mayor and Aldermen empowered to make reasonable Rules, and annex Penalties.

Not to abridge the Market Hours.

Powers of the Justices of Peace of both Cities.

committed within their respective Jurisdictions, contrary to such Rules, Orders, or Ordinances, within six Days after the Commission of any such Offence, to issue his or their Warrant or Warrants, under his Hand and Seal, or their Hands and Seals, directed to such Constables, or other Peace Officer or Officers, as the said Justice or Justices, or any one of them, shall, from Time to Time, think fit, thereby requiring him or them to apprehend such Offender or Offenders, and to bring him, her, or them, before the said Justice or Justices, or any one of them, within their respective Jurisdictions, to answer the Matters of Complaint to be contained in such Warrant or Warrants: And if such Offender or Offenders shall be convicted, either by his, her, or their Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath such Justice or Justices respectively, or any one of them, is and are hereby authorised and required to administer), it shall be lawful for such Justice or Justices, or any one of them, to impose a Fine upon him, her, or them, for the said Offence, not exceeding the Penalty or Penalties which shall be inflicted in and by the said Rules, Orders, and Ordinances; and if the Person or Persons so convicted shall neglect or refuse forthwith to pay the Penalty or Forfeiture imposed upon him, her, or them, it shall and may be lawful for such Justice or Justices, or one of them, in his or their respective Jurisdictions, immediately to commit the Person or Persons convicted to the House of Correction, or other Prison within the Jurisdiction of such Justice or Justices respectively, or any one of them, there to be kept to hard Labour for any Time not exceeding one Month, unless the said Penalty or Forfeiture shall be sooner paid; all which Penalties and Forfeitures shall go and be paid to the Person or Persons who shall inform and prosecute to Conviction any such Offender or Offenders.

Offenders concealing their Names, &c. to be committed to the House of Correction.

VI. And be it further enacted by the Authority aforesaid, That if any Person, who shall be apprehended for having committed any Offence against this Act, shall refuse to discover his, her, or their Name or Names, and Place or Places of Abode, to the Justice or Justices before whom he, she, or they, shall be brought, such Person or Persons so refusing shall immediately be delivered over to a Constable, or other Peace Officer, and shall by him be conveyed to the common Gaol, or House of Correction, of the County or Place where the Offence shall be committed, or the Offender or Offenders shall be apprehended, there to remain for the Space of one Month, or until, he, she, or they, shall declare his, her or their Name or Names, and Place or Places of Abode to the said Justice, or to some other Justice of the Peace of the said County or Place.

Abstract hereof, &c. to be printed and affixed up in conspicuous Places.

VII. Provided nevertheless, and be it enacted by the Authority aforesaid, That an Abstract of the several Provisions and Penalties contained in this Act, and all such Rules, Orders, and Ordinances, so to be made from Time to Time by the said Court of Mayor and Aldermen, shall, within fourteen Days after the making of such Rules, Orders, and Ordinances, be printed and affixed upon such of the most conspicuous Places within the said Cities of London and Westminster, and Liberties thereof, and Bills of Mortality, in such Manner as the said Court shall think proper, and from Time to Time order.

Justices may indorse Warrants, and try Offenders, or return them to the first Justice.

VIII. And be it further enacted, That in case any Person against whom a Warrant shall be issued by any Justice of the Peace, either before or after Conviction, as aforesaid, for any Offence against this Act, or against such Rules, Orders, and Ordinances, hereafter to be made, as aforesaid, shall escape, go into, reside, or be in any other County, City, Liberty, Town, or Place, out of the Jurisdiction of the Person granting such Warrant or Warrants as aforesaid; or if the Goods and Chattels of any Offender, convicted of any Offence in pursuance of this Act, shall be in a different County, City, Liberty, Town, or Place, than where the said Party was convicted, or the Warrant of Distress granted, it shall and may be lawful for any Justice of the Peace of the County, City, Liberty, Town, or Place, into which such Person shall escape, either before or after Conviction, or where his Goods and Chattels shall be after such Conviction, and they, and every of them, are hereby required, within their respective Jurisdictions, upon Proof made upon Oath of the Hand-writing of the said Justice granting such Warrant or Warrants, to indorse his or their Name or Names on such Warrant, and the same, when so indorsed, shall be a sufficient Authority to all Peace Officers to execute such Warrant in such other County, City, Liberty, Town, or Place, out of the Jurisdiction of the Person granting the said Warrant; and the said Justices respectively, or any one of them, as the Case shall happen, after indorsing the said Warrant, may, on the Offender or Offenders being apprehended and brought before the said Justices, or any one of them, within their respective Jurisdictions, proceed to hear and determine the Complaint in the same Manner as if it had originally arose within their respective Jurisdictions, or may direct the Offender to be carried to the Person who granted the said Warrant, to be dealt with according to Law:

No Person to suffer Punishment, if the Prosecution is not commenced within 14 Days after committed.

IX. Provided always, and be it enacted by the Authority aforesaid, That no Person shall suffer any Punishment for any Offence committed against this Act, unless the Prosecution for the same be commenced within fourteen Days after the Offence shall be committed; and that when any Person shall suffer Imprisonment pursuant to this Act, for any Offence contrary thereto, in Default of Payment of any Penalty hereby imposed, or shall hereafter be imposed, for the Breach of any of the Rules, Orders, and Ordinances, which shall or may be made by the Court of Mayor and Aldermen, as aforesaid, such Person shall not be liable afterwards to pay such Penalty.

Persons aggrieved may appeal to the next General Quarter Sessions.

X. Provided also, and be it enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves, aggrieved by the Order or Judgment of any Justice of the Peace, upon account of any Offence committed, or supposed to be committed, against this Act, it shall and may be lawful for such Person or Persons to appeal to the next General or Quarter Sessions of the Peace, to be holden for the County, City, or Place, where any such Conviction shall be made, the Person or Persons so appealing first giving Security in the Sum forfeited, before such Justice or Justices, in their respective Jurisdictions, to prosecute such Appeal with Effect, and to abide by the Order or Orders which shall be made on such Appeal, and giving fourteen Days Notice, in Writing, of such Intention to appeal to the Party or Parties on whose Prosecution such Conviction was founded, if there are so many Days between the Time of the Conviction and such General or Quarter Sessions, and if there are not, then to the next

subsequent

subsequent General or Quarter Session which shall be held after any such Conviction; and the Justices, in the said General or Quarter Sessions, are hereby authorised to hear and determine every such Appeal, and to make such Order therein, and to award such Costs, as to them shall appear to be just; and to cause to be levied, under the Order of any such Session, the Costs which shall be awarded, together with such Sum of Money as any such Court of Session, on the hearing any such Appeal, shall adjudge to be forfeited, by Distress and Sale of the Goods and Chattels of the Person who shall refuse to pay such Costs and Sum of Money forfeited, or of the Person or Persons who shall have become Surety or Sureties for him, as aforesaid.

XI. Provided also, and be it enacted, That no Order or Proceedings, to be made or had by or before any Justice of the Peace by virtue of this Act, shall be quashed or vacated for Want of Form; and that the Order of the Justices, at their General or Quarter Sessions within their several Jurisdictions, shall be final; and that no Proceedings of any such Justices out of Session, or in their said General or Quarter Sessions, in pursuance of this Act, shall be removeable by *Certiorari*, or otherwise.

No Order to be vacated for Want of Form, nor removeable by *Certiorari*.

XII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and 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; (*videlicet*),

Form of Conviction.

BE it remembered, That on the Day of _____ in the Year of our Lord _____ A. B. is convicted before me C. D. one of his Majesty's Justices of the Peace for the Cities of London or Westminster, or the County of Middlesex, either on his own Confession, or on the Oath of one or more credible Witnesses or Witnesses (*as the Case shall be*), by virtue of an Act, made in the fourteenth Year of the Reign of his Majesty King George the Third, to prevent the Mischiefs that arise from driving Cattle within the Cities of London and Westminster, and Liberties thereof, and the Bills of Mortality [*Specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be*]. Given under my Hand and Seal, the Day and Year above written.

XIII. And be it further enacted by the Authority aforesaid, 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, it shall be brought or commenced within six Calendar Months next after every such Cause of Action shall have accrued, and not afterwards, and shall be brought, laid, and tried, in the County, City, or Place, in which such Offence shall have been committed, and not elsewhere; and the Defendant or Defendants in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which shall be had thereon, and that the same was done in pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid or brought in any other County, City, or Place than where the Offence shall have been committed; then, and in any of such Cases, the Jury or Juries shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or shall discontinue his Action or Actions, or if Judgment shall be given for the Defendant or Defendants therein; then, and in any of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or may have for his or their Costs in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

XIV. And be it further enacted, That this Act shall continue and be in Force for the Term of three Years, and from thence to the End of the then next Session of Parliament.

The Act to continue for three Years.

XV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

Publick Act.

C A P. LXXXVIII.

An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of Quebec, in America.

WHEREAS certain Duties were imposed, by the Authority of his most Christian Majesty, upon Wine, Rum, Brandy, *Eau de Vie de Liqueur*, imported into the Province of Canada, now called the Province of Quebec, and also a Duty of three Pounds *per Centum ad Valorem*, upon all dry Goods imported into, and exported from, the said Province, which Duties subsisted at the Time of the Surrender of the said Province to your Majesty's Forces in the late War: And whereas it is expedient that the said Duties should cease and be discontinued; and that in Lieu and in Stead thereof, other Duties should be raised by the Authority of Parliament, for making a more adequate Provision for defraying the Charge of the Administration of Justice, and the Support of Civil Government in the said Province: We your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of April, one thousand seven hundred and seventy-five, all the Duties which were

Preamble. Certain Duties imposed by his most Christian Majesty upon Rum, Brandy, &c. imported into Quebec,

after April 5, 1775, to be dis-

continued with-
in the Province,

and in Stead of
which the fol-
lowing Duties
to be paid to
his Majesty.

imposed upon Rum, Brandy, *Eau de Vie de Liqueur*, within the said Province, and also of three Pounds *per Centum ad Valorem*, on dried Goods imported into, or exported from, the said Province, under the Authority of his most Christian Majesty, shall be, and are hereby discontinued; and that in Lieu and in Stead thereof, there shall, from and after the said fifth Day of *April*, one thousand seven hundred and seventy-five, be raised, levied, collected, and paid, unto his Majesty, his Heirs and Successors, for and upon the respective Goods herein-after mentioned, which shall be imported or brought into any Part of the said Province, over and above all other Duties now payable in the said Province, by any Act or Acts of Parliament, the several Rates and Duties following; that is to say,

The Rates.

For every Gallon of Brandy, or other Spirits, of the Manufacture of *Great Britain*, Three-pence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any of his Majesty's Sugar Colonies in the *West Indies*, Sixpence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any other of his Majesty's Colonies or Dominions in *America*, Nine-pence.

For every Gallon of Foreign Brandy, or other Spirits, of Foreign Manufacture, imported or brought from *Great Britain*, one Shilling.

For every Gallon of Rum, or Spirits, of the Produce or Manufacture of any of the Colonies or Plantations in *America*, not in the Possession or under the Dominion of his Majesty, imported from any other Place, except *Great Britain*, one Shilling.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in Ships or Vessels belonging to his Majesty's Subjects in *Great Britain* or *Ireland*, or to his Majesty's Subjects in the said Province, Three-pence.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in any other Ships or Vessels, in which the same may be legally imported, Sixpence; and after those Rates for any greater or less Quantity of such Goods respectively.

Rates deemed
Sterling Money
of Great Britain;

how they are to
be levied, &c.

to whom they
are to be paid,

and how to be
applied.

II. And it is hereby further enacted by the Authority aforesaid, That the said Rates and Duties, charged by this Act, shall be deemed, and are hereby declared to be, Sterling Money of *Great Britain*, and shall be collected, recovered, and paid, to the Amount of the Value of which such nominal Sums bear in *Great Britain*; and that such Monies may be received and taken according to the Proportion and Value of five Shillings and Sixpence the Ounce in Silver; and that the said Duties, herein-before granted, shall be raised, levied, collected, paid, and recovered, in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, except in such Cases where any Alteration is made by this Act, as any other Duties payable to his Majesty upon Goods imported into any *British* Colony or Plantation in *America* are or shall be raised, levied, collected, paid, and recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties, and Forfeitures, relating thereto, were particularly repeated and again enacted in the Body of this present Act; and that all the Monies that shall arise by the said Duties (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same), shall be paid by the Collector of his Majesty's Customs, into the Hands of his Majesty's Receiver-general in the said Province for the Time being, and shall be applied, in the first place, in making a more certain and adequate Provision, towards defraying the Expences of the Administration of Justice, and of the Support of Civil Government, in the said Province; and that the Lord High Treasurer, or Commissioners of his Majesty's Treasury, or any three or more of them for the Time being, shall be, and is or are hereby impowered, from Time to Time, by any Warrant or Warrants under his or their Hand or Hands, to cause such Money to be applied out of the said Produce of the said Duties, towards defraying the said Expences; and that the Residue of the said Duties shall remain and be reserved in the Hands of the said Receiver-general, for the future Disposition of Parliament.

Regulations
with respect to
Goods brought
into the Pro-
vince chargeable
with the Duties
before men-
tioned.

III. And it is hereby further enacted by the Authority aforesaid, That if any Goods chargeable with any of the said Duties herein-before mentioned shall be brought into the said Province by Land Carriage, the same shall pass and be carried through the Port of *Saint John's*, near the River *Sorrel*; or if such Goods shall be brought into the said Province by any inland Navigation, other than upon the River *Saint Lawrence*, the same shall pass and be carried upon the said River *Sorrel*, by the said Port, and shall be there entered with, and the said respective Rates and Duties paid for the same, to such Officer or Officers of his Majesty's Customs as shall be there appointed for that Purpose; and if any such Goods coming by Land Carriage, or inland Navigation, as aforesaid, shall pass by or beyond the said Place before named, without Entry or Payment of the said Rates and Duties, or shall be brought into any Part of the said Province, by or through any other Place whatsoever, the said Goods shall be forfeited; and every Person who shall be assisting, or otherwise concerned in the bringing or removing such Goods, or to whose Hands the same shall come, knowing that they were brought or removed contrary to this Act, shall forfeit treble the Value of such Goods, to be estimated and computed according to the best Price that each respective Commodity bears in the Town of *Quebec*, at the Time such Offence shall be committed; and all the Horses, Cattle, Boats, Vessels, and other Carriages whatsoever, made use of in the Removal, Carriage, or Conveyance of such Goods, shall also be forfeited and lost, and shall and may be seized by any Officer of his Majesty's Customs, and prosecuted, as herein-after mentioned.

Penalties and
Forfeitures
where to be pro-
secuted for, &c.

IV. And it is hereby further enacted by the Authority aforesaid, That the said Penalties and Forfeitures by this Act inflicted, shall be sued for and prosecuted in any Court of Admiralty, or Vice Admiralty, having Jurisdiction within the said Province, and the same shall and may be recovered and divided in the same Manner and Form, and by the same Rules and Regulations, in all Respects, as other Penalties and Forfeitures

Forfeitures for Offences against the Laws relating to the Customs and Trade of his Majesty's Colonies in America shall or may, by any Act or Acts of Parliament be sued for, prosecuted, recovered, and divided.

V. And be it further enacted by the Authority aforesaid, That there shall, from and after the fifth Day of April, one thousand seven hundred and seventy-five, be raised, levied, collected, and paid, unto his Majesty's Receiver-general of the said Province, for the Use of his Majesty, his Heirs and Successors, a Duty of one Pound sixteen Shillings, Sterling Money of Great Britain, for every Licence that shall be granted by the Governor, Lieutenant Governor, or Commander in Chief of the said Province, to any Person or Persons for keeping a House or any other Place of publick Entertainment, or for the retailing Wine, Brandy, Rum, or any other Spirituous Liquors, within the said Province; and any Person keeping any such House or Place of Entertainment, or retailing any such Liquors without such Licence, shall forfeit and pay the Sum of ten Pounds for every such Offence, upon Conviction thereof; one Moiety to such Person as shall inform or prosecute for the same, and the other Moiety shall be paid into the Hands of the Receiver-general of the Province, for the Use of his Majesty.

VI. Provided always, That nothing herein contained shall extend, or be construed to extend, to discontinue, determine, or make void, any Part of the territorial or casual Revenues, Fines, Rents, or Profits whatsoever, which were reserved to, and belonged to, his most Christian Majesty, before and at the Time of the Conquest and Surrender thereof to his Majesty the King of Great Britain; but that the same, and every of them, shall remain and be continued to be levied, collected, and paid, in the same Manner as if this Act had never been made; any thing therein contained to the contrary notwithstanding.

VII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, and if it shall appear to the Court or Judge where or before whom the same shall be tried, that such Action or Suit is brought for any Thing that was done in pursuance of and by the Authority of this Act, the Defendant or Defendants shall be indemnified and acquitted for the same; and if such Defendant or Defendants shall be so acquitted; or if the Plaintiff shall discontinue such Action or Suit, such Court or Judge shall award to the Defendant or Defendants Treble Costs.

Any Person keeping a House of publick Entertainment to pay 1 l. 16 s. for a Licence.

Penalty of 10 l. for every Offence.

Not to make void French Revenues, &c. reserved at the Conquest.

In Suits brought pursuant to this Act,

Defendants to have Treble Costs.

C A P. LXXXIX.

An Act to enable his Majesty to allow the Administrator, with the Will annexed, or other the personal Representative, of Sir Joseph Jekyll Knight, deceased, to sell ten thousand Pounds South Sea Stock, Part of a Legacy given by him to the Use of the Sinking Fund, and to receive the Dividends due thereon, as also on ten thousand Pounds East India Stock; and for applying the same as therein is mentioned.

WHEREAS Sir Joseph Jekyll Knight, by his last Will and Testament in Writing, bearing Date the fourth Day of May, in the Year of our Lord one thousand seven hundred and thirty-eight, bequeathed several pecuniary Legacies and Annuities for Life to several of his Relations, and directed, that the East India and South Sea Stock, which he should be possessed of at the Time of his Death, should not be transferred or altered by his Executor during the Life of Dame Elizabeth his Wife, but, after her Death, he gave his said East India and South Sea Stock to his Majesty, his Heirs and Successors, Kings or Queens of England, to be applied to the Use of the Sinking Fund in such Manner as should be directed by Act of Parliament; and all the rest and Residue of his Estate, both Real and Personal, he gave and devised unto Thomas Jekyll, John Jekyll, Joseph Jekyll, Edward Jekyll, Richard Blackett Jekyll, Mary Jekyll, and Hannah Jekyll, the Children of John Jekyll, late of New England, deceased, and to Joseph Jekyll Grocer, the Son of Thomas Jekyll, and to Nicholas Roberts, Thomas Hester, Tryphena Baldwin, and Tryphosa Sanders, and to their Heirs, Executors, and Administrators, as Tenants in common; and he appointed the said Joseph Jekyll, one of the Children of the said John Jekyll, Executor of his Will: And whereas the said Sir Joseph Jekyll died soon after the Date of his said Will, possessed of ten thousand Pounds East India Stock, and ten thousand Pounds South Sea Stock, and leaving Elizabeth Kirkham, Dame Mary Blackett, Tryphena Lovell, Thomas Jekyll the elder, Richard Mart, Francis Hill, Tryphena Russell, Mary Parsons, and Tryphena Hester (all since deceased), his Nieces and Nephews, his next of kin; and the said Joseph Jekyll, the Executor, soon afterwards proved the said Will in the Prerogative Court of the Archbishop of Canterbury, and the said Dame Elizabeth Jekyll died some Time in the Year of our Lord one thousand seven hundred and forty-five: And whereas by an Act, made in the twentieth Year of the Reign of his late Majesty King George the Second (intituled, An Act to enable his Majesty to allow to the residuary Legatees of Sir Joseph Jekyll Knight, late Master of the Rolls, deceased, Part of the Legacy given by his Will, to the Use of the Sinking Fund), it was enacted, That it should and might be lawful for his Majesty, his Heirs and Successors, by Warrant or Order under his or their Sign Manual, to permit the said Joseph Jekyll, the Executor, Executors, Administrators, or Assigns, to sell so much of the East India and South Sea Stock, devised as aforesaid, as would enable him or them to raise, for the Benefit of the said residuary Legatees, the Sum of thirteen thousand five hundred and eighty-two Pounds nine Shillings and Two-pence; to be applied by him or them in the same Manner as the Real and Personal Estate of the said Sir Joseph Jekyll was, by his said Will, directed to be applied: And whereas, in pursuance of the said recited Act, his late Majesty did, by Warrant or Order, under his Sign Manual, empower the said Joseph Jekyll to sell the said South Sea Stock and East India Stock, and to apply thirteen thousand five hundred and eighty-two Pounds nine Shillings and Two-pence, Part of the Money arising by Sale of the said Stocks, for the Benefit of the residuary Legatees of the said Sir Joseph Jekyll, in the same Manner as his Real and Personal Estate

Preamble.

was by his said Will directed to be applied; and to pay the Remainder of the Money arising by such Sale into the Exchequer, pursuant to the said Will; to be applied to the same Uses as the Sinking Fund was applicable; and thereupon the said *Joseph Jekyll*, soon afterwards, at several Times within the Month of *October*, in the Year one thousand seven hundred and forty-seven, did sell ten thousand Pounds *East India* Stock, then standing in the Name of Sir *Joseph Jekyll*, at several Prices, amounting together (after a Deduction of Commission, and the Charges of the several Transfers), to the Sum of fifteen thousand eight hundred and seventy-two Pounds fourteen Shillings, and applied the Sum of thirteen thousand five hundred and eighty-two Pounds nine Shillings and Two-pence, Part of the said Sum of fifteen thousand eight hundred and seventy-two Pounds fourteen Shillings, for the Benefit of the said residuary Legatees, according to the Direction of the said recited Act of Parliament: And whereas the said *Joseph Jekyll* is dead, and *Lady Anne Jekyll*, Widow and Administratrix, with the Testamentary Schedule annexed, of the said *Joseph Jekyll*, is since also dead, after making her last Will and Testament in Writing, whereof she appointed certain Executors; and the said *Thomas Jekyll* hath obtained Administration to the said Sir *Joseph Jekyll*, with his Will annexed, of his Goods unadministered by the said *Joseph Jekyll*: And whereas in pursuance of an Act, made in the twelfth Year of the Reign of his present Majesty (intituled, *An Act to enable the Lords of the Treasury to discharge the Executors of Lady Anne Jekyll from a Debt due to his Majesty for the Use of the Sinking Fund, upon Payment of the same into the Exchequer*), the Sum of two thousand two hundred and ninety Pounds four Shillings and Ten-pence, the Residue of the said Sum of fifteen thousand eight hundred and seventy-two Pounds fourteen Shillings, has been paid by the Executors of the said *Lady Anne Jekyll* into the Receipt of his Majesty's Exchequer: And whereas the said Sum of ten thousand Pounds *South Sea* Stock is still standing in the Name of the said Sir *Joseph Jekyll*, and all the Dividends accrued due thereon, from *Midsummer* one thousand seven hundred and forty-five (to which Time they were received by the said *Joseph Jekyll*), to the fifth Day of *January* one thousand seven hundred and seventy-four, amounting to the Sum of ten thousand six hundred Pounds, still remain in the Hands of the *South Sea Company*; and the Dividends that accrued due upon the said ten thousand Pounds *East India* Stock, from *Midsummer* one thousand seven hundred and forty-five (to which Time they were also received by the said *Joseph Jekyll*), to *Midsummer* one thousand seven hundred and forty-seven (soon after which Time the said ten thousand Pounds *East India* Stock was sold as aforesaid), amounting to the Sum of one thousand six hundred Pounds, still remain in the Hands of the *East India Company*, none of the said Sums, or any Part of them, having as yet been appropriated by Parliament, or applied to the Use of the Sinking Fund: And whereas it is apprehended, that the Motive to Sir *Joseph Jekyll*'s bequeathing this Legacy to the Publick was, the Hope of exciting others of Opulence to follow the Example; but, as in the Course of near forty Years this Expectation has not been answered in any Instance; therefore, we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, having taken the Premises into Consideration, do most humbly beseech your most Excellent 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, by Warrant or Order under his or their Sign Manual, to permit and allow the said *Thomas Jekyll*, the Administrator, or other the personal Representative of the said Sir *Joseph Jekyll*, to sell and transfer the said ten thousand Pounds *South Sea* Stock, now standing in the Name of the said Sir *Joseph Jekyll*, and to receive the Money arising by such Sale, and to receive all Dividends due, and to grow due, on such *South Sea* Stock; as also to receive all Dividends due and unreceived upon the said ten thousand Pound *East India* Stock, so sold as aforesaid.

By Warrant under his Majesty's Sign Manual, the Administrator may sell 10,000 l. *South Sea* Stock, standing in the Name

Sign Manual to be enrolled in Chancery.

Personal Representative to transfer the Sum, and receive Dividends due.

Sums to arise by the Sale, how to be applied.

Charges of the Act to be paid

II. And be it further enacted by the Authority aforesaid, That such Sign Manual, when obtained, shall be enrolled in his Majesty's High Court of Chancery, and the Clerks of the Inrolments in the said Court are hereby required to inroll the same accordingly.

III. And be it further enacted by the Authority aforesaid, That, upon the obtaining such Sign Manual, and the Inrolment thereof, as aforesaid, it shall and may be lawful to and for the said *Thomas Jekyll*, and other the personal Representative of the said Sir *Joseph Jekyll*, to sell and transfer the said ten thousand Pounds *South Sea* Stock, and to receive all Dividends due, and to grow due thereon; as also to receive all the Dividends due upon the said ten thousand Pounds *East India* Stock, so sold as aforesaid: And the *South Sea Company*, and the *East India Company*, are hereby respectively directed and impowered to permit such Sale and Transfer of Stock, and Receipt of such Dividends, as aforesaid.

IV. And be it further enacted by the Authority aforesaid, That all such Sums of Money as shall arise by Sale of the said ten thousand Pounds *South Sea* Stock, together with all Dividends to be received as aforesaid, as well upon the said *South Sea* Stock as upon the said *East India* Stock, shall be paid and applied by the said *Thomas Jekyll*, his Executors or Administrators, or other the personal Representative of the said Sir *Joseph Jekyll*, in Manner following (that is to say); That one Moiety, or Half Part thereof, shall be paid and applied unto and amongst the several residuary Legatees named in the Will of the said Sir *Joseph Jekyll*, and their respective Executors and Administrators, in such Manner as the residuary Estate of the said Sir *Joseph Jekyll* is by his said Will directed to be applied; and that the other Moiety, or Half Part thereof, shall be paid and applied unto and amongst the Executors and Administrators of the said *Elizabeth Kirkham*, *Dame Mary Blackett*, *Tryphena Lovell*, *Thomas Jekyll* the elder, *Richard Mark*, *Francis Hill*, *Tryphena Russel*, *Mary Parsons*, and *Tryphena Hester* respectively, in equal Shares and Proportions.

V. And be it further enacted by the Authority aforesaid, That the Charges of obtaining and passing this Act of Parliament, and of all other Matters attending the Transfer, Receipt, and Application of all and

and every the Sums before mentioned, shall be paid by the said *Thomas Jekyll*, his Executors or Administrators, or other the personal Representative of the said *Sir Joseph Jekyll*, out of the Monies that shall be received by him or them, under and by virtue of this Act, before any Payment and Application of such Monies, unto and amongst the Parties aforesaid, or any of them.

out of the first
Monies to arise.

C A P. XC.

An Act for the better Regulation of the Nightly Watch and Beadles within the City and Liberty of *Westminster*, and Parts adjacent; and for other Purposes therein mentioned.

WHEREAS the well-ordering and regulating a proper and sufficient uniform Nightly Watch throughout the City of *Westminster*, and the Liberties thereof, the several Parishes of *Saint Clement Danes*, and *Saint Mary le Strand*, as well within as without the Liberties of the said City, and the Precinct of the *Savoy*; the united Parishes of *Saint Giles in the Fields*, and *Saint George Bloomsbury*; the united Parishes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*; and the Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, in the County of *Middlesex*, is of great Importance, and will tend to the Preservation of the Persons and Properties of the Inhabitants thereof, and to prevent, as well Mischiefs that may happen by Fires, as Murders, Burglaries, Robberies, and other Outrages and Disorders: And whereas no effectual Provision is, by any Laws now in being, made for the establishing, ordering, and well-governing, such Nightly Watch and Beadles, in some Parts of the said District, or for raising, levying, and collecting, any Sums of Money for defraying the necessary Charges thereof, or for enforcing a due Application and Account of any Monies collected for the Purpose of keeping such Nightly Watch: And whereas it may tend to the better Security of the Inhabitants of the said District, if the Nightly Watch and Beadles were uniformly ordered and regulated throughout the Whole of the said District, and some further Provisions and Powers were made and given to the Managers or Directors of such Watch and Beadles than are or have been hitherto made and given to them: And whereas great Inconveniencies respecting the Nightly Watch, in some Parts of the said District, have arisen, and are likely hereafter to arise, from the Appointment of improper Persons to be Deputy Constables therein, which might be prevented, if such Deputy Constables were to be approved by the Vestries of the respective Parishes, Precincts, and Places, for which such Deputy Constables are chosen; and if the Constables and Headboroughs were compellable to observe necessary and proper Regulations, during the respective Times of Watching: And whereas it has been found, by Experience, that the hiring Men to patrol the Squares, Streets, Lanes, and other Places within some Parts of the said District, has greatly contributed to the Security of the Inhabitants 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 passing of this Act, the Powers and Authorities for the better regulating the Nightly Watch and Beadles, created, made, and given, to the Vestries of the several Parishes of *Saint James* and *Saint George, Hanover Square*, severally and respectively, in and by an Act of Parliament, made and passed in the eighth Year of the Reign of his late Majesty King *George the Second*, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the two Parishes of Saint James and Saint George, Hanover Square, within the Liberties of the City of Westminster*; and the Powers and Authorities for the like Purpose, created, made, and given, to the Vestry of the Parish of *Saint Martin in the Fields*, in and by an Act of Parliament, made and passed in the ninth Year of the Reign of his said late Majesty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Parish of Saint Martin in the Fields, within the Liberties of the City of Westminster*; and the Powers and Authorities for the like Purpose, created, made, and given, in and by another Act, also made and passed in the ninth Year of his said late Majesty's Reign, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Parish of Saint Paul Covent Garden, within the Liberties of the City of Westminster*, to the Vestry of the said Parish for the Time being, and certain other Persons nominated, and to be nominated, by and in pursuance of the last-mentioned Act: the Powers and Authorities for the like Purpose, created, made, and given, to the Vestries of the united Parishes of *Saint Margaret* and *Saint John the Evangelist*, in and by an Act of Parliament also made and passed in the ninth Year of the Reign of his said late Majesty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the said Parishes of Saint Margaret and Saint John the Evangelist, within the City and Liberty of Westminster*; and the Powers and Authorities for the like Purpose, created, made, and given, to the Vestry of the Parish of *Saint Anne*, in and by an Act of Parliament also made and passed in the ninth Year of the Reign of his said late Majesty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Parish of Saint Anne, within the Liberties of the City of Westminster*; and the Powers and Authorities for the like Purpose, created, made, and given, to the Trustees elected and chosen, and to be elected and chosen, by virtue and in pursuance of an Act of Parliament, made and passed in the tenth Year of the Reign of his said late Majesty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Liberty of Saffron Hill, Hatton Garden, and Ely Rents, in the Parish of Saint Andrew Holborn, in the County of Middlesex*; and the Powers and Authorities for the like Purpose, created, made, and given, to the Directors or Governors of the Nightly Watch and Beadles of the said Parish of *Saint Clement Danes*, nominated and appointed, and to be nominated and appointed, by virtue and in pursuance of an Act of Parliament, made and passed in the fourth Year of the Reign of his present Majesty, intituled, *An Act for establishing a regular and Nightly Watch, and for maintaining, regulating, and employing, the Bear within the Parish of Saint Clement Danes, in the Liberty of Westminster,*

Preamble.

After passing of
this Act, the
Authorities for
regulating the
Nightly Watch,
Act 8 Geo. 2.

Four Acts
9 Geo. 2.

Act 10 Geo. 27.

Act 4 Geo. 3.

Westminster, and County of Middlesex; and the Powers and Authorities for the like Purpose, created, made, and given, to the Governors and Directors of the Poor of the said united Parishes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*, nominated and elected, and to be nominated and elected, by virtue and in pursuance of an Act of Parliament, made and passed in the sixth Year of his present Majesty's Reign, intituled, *An Act for the better regulating and employing the Poor, and for cleansing, lighting, and watching, the Squares, Streets, Lanes, and other Places, within that Part of the Parish of Saint Andrew Holborn which lies above the Bars, in the County of Middlesex, and the Parish of Saint George the Martyr, in the said County (except only in such Cases and Particulars where the same are herein and hereby varied, altered, or otherwise enacted, provided, or directed)*; are hereby continued, and shall and may be used and exercised by such Vestries, Trustees, Directors, or Governors, or Governors, of the Watch, Governors and Directors of the Poor, and other Persons within each and every of the said several and respective Parishes, Liberty, Precinct, and Places, in and for which they severally and respectively shall be Vestrymen, Trustees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, as aforesaid, at such Times, and in such Manner, as by the said several Acts of Parliament the said Powers and Authorities were and are severally and respectively authorized or directed to be used or exercised; and that in and for each and every the said several Parishes, Liberty, Precinct, and Places, last mentioned, the Number of Watchmen and Beadles, already appointed, shall and may continue for and during the Time for which they have been appointed, and until the several and respective Times, by each of the said several Acts of Parliament respectively limited for the Appointment of Watchmen and Beadles, and such Watchmen and Beadles shall and may be paid and allowed such Wages and Allowances as are and have been ordered and directed to be paid and given to them respectively; and that all Rules, Orders, and Regulations already made, and now in Force, respecting the Nightly Watch and Beadles within the same Parishes, Liberty, Precinct, and Places respectively, shall continue and be in Force until the respective Times appointed or directed by the said Acts respectively for making new Rules, Orders, and Regulations; and that all and every the Rates already made for the Purposes of each and every of the said Acts respectively, shall continue and be in Force, and be collected and levied by the Ways and Means, and in such Manner as the same are in and by such Acts respectively directed to be collected and levied; any Thing herein-contained to the contrary thereof in anywise notwithstanding.

A & 6 Geo. III.

are hereby continued;

until the respective Times appointed for making new Orders.

Trustees, Directors, &c. to set up substantial Watch-boxes.

Penalty, if any Person destroy the Watch-boxes, is not exceeding 20 s.

besides the Charge of replacing them.

Twelve Trustees when and by whom to be elected, viz. St. Mary le Strand;

Seven Trustees to be elected for the Savoy Precinct;

Vestrymen of St. Giles, and St. George,

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Vestries, Trustees, Directors, or Governors of the Watch, Governors and Directors of the Poor, and other Persons chosen, and to be chosen, as aforesaid, within their several and respective Parishes, Liberty, Precinct, and Places respectively, from Time to Time, to set or fix up and place a sufficient Number of substantial Watchboxes, at and in such convenient Parts of each of their said several and respective Parishes, Liberty, Precinct, and Places, as they, or the Majority of so many of them as shall be assembled at any of their publick Meetings respectively, shall judge necessary or convenient; which Watch-boxes, so set or fixed up and placed, or any of them, shall not be taken down or removed by any Person or Persons, on any Pretence whatever, without the Order or Consent of the said Vestries, Trustees, Directors, or Governors of the Watch, or Governors or Directors of the Poor, or the Majority of so many of them as shall be assembled at some such publick Meeting.

III. And be it enacted by the Authority aforesaid, That if any Person or Persons shall wilfully break, take down, or remove, damage, or destroy, any or either of such Watch-boxes, every Person so offending, being thereof convicted upon the Oath or Oaths of one or more credible Witnesses or Witnesses, or upon his, her, or their own Confession, before any one or more of his Majesty's Justices of the Peace for the County of *Middlesex*, or the City and Liberty of *Westminster*, as the Case may be (which Oath such Justice and Justices is and are hereby authorized and impowered to administer), shall, for every such Offence, forfeit and pay any Sum not exceeding twenty Shillings, over and above the necessary Charges of replacing, repairing, or making good, such Watch-box or Watch-boxes, or any Damage done thereto, together also with all such necessary Charges as aforesaid, to be ascertained before such Justice or Justices, in such Manner as he or they shall think fit, and, in his or their Discretion, in that Behalf require.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Inhabitants of the said Parish of *Saint Mary le Strand*, and they are hereby directed and required to meet together at the usual Place of Meeting for transacting the publick Business of the said Parish, on the second *Wednesday* after the passing of this Act, or within ten Days after, and annually afterwards, on the first *Wednesday* in *June*, in every succeeding Year, or within ten Days then next following, between the Hours of Ten and Twelve in the Forenoon (Notice of such Meeting being for that Purpose given in the Church of the said Parish, on the *Sunday* next preceding, immediately after Divine Service), and then and there, by the Majority of the Inhabitants present at such Meeting, to nominate and chuse twelve Inhabitants of the said Parish to be Trustees for the better regulating the nightly Watch and Beadles, and other the Purposes of this Act, within the said Parish of *Saint Mary le Strand*: And that it shall and may be lawful for the Inhabitants of the said Precinct of the *Savoy*, and they are hereby directed and required to meet together at the usual Place of Meeting for transacting the publick Business of the said Precinct, on the said second *Wednesday*, or within ten Days after, and annually afterwards on the first *Wednesday* in *June*, in every succeeding Year, or within ten Days then next following, between the Hours of Ten and Twelve in the Forenoon (Notice of every such Meeting being for the Purpose given in the Church or Chapel of the *Savoy*, on the *Sunday* next preceding, immediately after Divine Service), and then and there, by the Majority of the Inhabitants present at such Meeting, to nominate and chuse seven Inhabitants of the said Precinct to be Trustees for the better regulating the nightly Watch and Beadles, and other the Purposes of this Act, within the said Precinct: And that the Vestrymen of both the said united Parishes of *Saint Giles in the Fields*, and *Saint George, Bloomsbury*, jointly, shall be Trustees for the better regulating the Nightly Watch and Beadles, and for other the Purposes of this Act, within the said united Parishes of *Saint Giles*

in the Fields, and Saint George Bloomsbury; which united Parishes last mentioned shall have and hold all their Meetings for the executing the Powers and Purposes of this Act at the Vestry-room of the said Parish of Saint Giles in the Fields, and shall, for the Purposes of this Act, and for every Thing to be done in pursuance thereof, act together, and shall be deemed and taken to be one Parish only.

V. And be it further enacted by the Authority aforesaid, That the Trustees to be nominated and chosen in and for the said Parish of Saint Mary le Strand, and the said Precinct of the Savoy, shall severally assemble and meet together at the several usual Places of Meeting for transacting the publick Business of the said Parish and Precinct; and the Vestrymen of the said united Parishes of Saint Giles in the Fields, and Saint George Bloomsbury, as Trustees, as aforesaid, shall assemble and meet together at the Vestry-room of the said Parish of Saint Giles in the Fields, on the said second Wednesday after passing this Act, or within ten Days after, and annually afterwards on the first Wednesday in June, or within ten Days after, in every ensuing Year, between the Hours of Ten and Twelve in the Forenoon; and the Vestrymen of the said united Parishes of Saint Giles in the Fields, and Saint George Bloomsbury, Trustees, as aforesaid, and such Trustees so to be nominated and chosen in and for the said Parish of Saint Mary le Strand, and the said Precinct of the Savoy, shall, at their said first, and other annual Meetings; and the Vestries of the said several Parishes of Saint James, Saint George Hanover Square, and Saint Martin in the Fields; and the Vestry, and other Persons nominated, and to be nominated, in and for the said Parish of Saint Paul, Covent Garden, the Vestry of the said united Parishes of Saint Margaret and Saint John the Evangelist, the Vestry of the said Parish of Saint Anne, the Trustees elected and chosen, and to be elected and chosen, in and for the said Liberty of Saffron Hill, Hatton Garden, and Ely Rents, the Directors or Governors of the Watch for the said Parish of Saint Clement Danes, and the Governors and Directors of the Poor of the said united Parishes of Saint Andrew Holborn above the Bars, and Saint George the Martyr, shall also assemble and meet together at the several Times in and by the herein-before mentioned or recited Acts respectively directed; and every of them respectively shall then and there appoint what Number of Watchmen they shall judge necessary to be kept and employed in each and every of their said Parishes, Liberty, Precinct, and Places, for the Year then next ensuing, specifying particularly how many of such Watchmen are to have certain Beats and Stands, and at what Places, and how many of them are to patrol and have no certain Stands, under the following Restrictions and Limitations; (that is to say,) In the said united Parishes of Saint Margaret and Saint John the Evangelist, the Number of Watchmen having Beats and Stands to be forty, or more, and the Watchmen to patrol to be six, at the least; and in and for the said Parish of Saint Martin in the Fields, the Watchmen to have Stands and Beats to be forty, or more, and the Watchmen to patrol to be six, at the least; in the said Parish of Saint James, the Watchmen to have Stands and Beats to be fifty, or more, and the Watchmen to patrol to be eight, at the least; in the said Parish of Saint George Hanover Square, the Watchmen to have Stands or Beats to be sixty, or more, and the Watchmen to patrol to be eight, at the least; in the said Parish of Saint Anne, the Watchmen to have Stands and Beats to be twenty, or more, and the Watchmen to patrol to be four, at the least; in the said Parish of Saint Paul, Covent Garden, the Watchmen to have Stands and Beats to be eighteen, or more, and the Watchmen to patrol to be four, at the least; in the Parish of Saint Clement Danes, as well within as without the Liberties of the said City, the Watchmen to have Stands and Beats, to be twenty or more, and the Watchmen to patrol to be five, at the least; in the said Parish of Saint Mary le Strand, as well within as without the Liberties of the said City, the Watchmen to have Stands and Beats to be not less than two, and one to patrol; and in the said Precinct of the Savoy to be one Watchman; in the said united Parishes of Saint Giles in the Fields, and Saint George Bloomsbury, the Watchmen to have Stands and Beats, to be thirty, or more, and the Watchmen to patrol to be six, at the least; in the said united Parishes of Saint Andrew Holborn above the Bars, and Saint George the Martyr, the Watchmen to have Stands and Beats, to be thirty, or more, and the Watchmen to patrol to be six, at the least; and in the said Liberty of Saffron Hill, Hatton Garden, and Ely Rents, the Watchmen to have Stands and Beats, to be twelve, or more, and the Watchmen to patrol to be two, at the least: And the said Trustees, Vestries, and other Persons so met, shall then and there direct, and set down, in Writing, at what Places particularly the Stands or Watch-boxes shall be fixed or put, and the Extents, Limits, or Boundaries, of the several Beats of every such Watchmen and Patroles; and shall also then and there, or at some other Meeting of the said Trustees, Vestries, or other Persons, to be held within fourteen Days then next following, nominate and appoint such Number of Beadles as shall be kept within each of the said Parishes, Liberty, Precinct, and Places, in proportion to the Extent of each respective Parish, Liberty, Precinct, or Place, and to the Monies which can be raised therein, by the Rates to be made pursuant to the Directions of the said former Acts, and of this Act; and shall also nominate and chuse such honest and able-bodied Men to be employed in the Offices of Beadles and Watchmen, as they shall find best qualified for the same; and also shall and may order what Wages and Allowances are to be paid and given to the said Beadles, and to the said Watchmen respectively, as well Patroles as others, for their Services and Attendances, under and subject nevertheless to the Limitations, and Restrictions, herein-after expressed and directed; and also may and shall order and direct what Pound Rate shall be made for defraying the Charges and Expences of such nightly Watch and Beadles.

VI. Provided nevertheless, and it is hereby enacted and declared, That the Wages of every Watchman appointed to patrol as aforesaid, shall not be less than one Shilling and Three-pence per Night, during such Time as he shall be employed, and that the Wages of every Watchman who shall be appointed to a Stand or Beat, shall be regulated, so that such Wages shall not be less than eighteen Pounds five Shillings, in every Year; and that the Wages of any of such Watchmen shall not be more than four Weeks in Arrear at any one Time.

VII. Provided also, and be it enacted by the Authority aforesaid, That no such Assessment or Assessments to be made in any one Year shall exceed Sixpence in the Pound, of the yearly Value of the Houses, Tenements,

Bloomsbury, to be Trustees.

First Meeting of the Trustees for the several Parishes where to be held;

who are to appoint a sufficient Number of Watchmen for the Year ensuing, under the following Restrictions;

Proviso for appointing the Wages of Watchmen.

No Assessment to exceed 6d. per Pound in one Year.

ments, Shops, Warehouses, Cellars, or other Buildings, to be assessed and charged by virtue of any of the said former Acts, or of this Act.

Watchmen how
to be armed and
accommodated ;

and the Time
when they are
to do Duty.

VIII. And be it further enacted by the Authority aforesaid, That each of the said Watchmen, as well those who shall be appointed to patrol as those who shall have Stands and Beats, shall be furnished with a Rattle, and such other Accommodations, and shall be armed with a Staff, or such other Weapons or Arms, to be provided at the Expence of each of the said Parishes, Liberty, Precinct, and Places, as the said Vestries, Trustees, or other Persons authorized to put this Act, or the said former Acts, in Execution, shall direct; and that each Watchman to be appointed to a Stand or Beat shall provide himself a Lanthorn, to be numbered in such Part and Manner, as, from the Light within, may most effectually tend to make such Number distinguishable in the Night-time; and that each and every such Watchman, being appointed to a Beat or Stand, shall be, and appear, at his Stand every Night before the Hour of Ten, or such earlier Hour as the said Vestries, Trustees, Governors, or Directors, shall order, direct, and appoint; and shall keep Watch at his Stand, or in his Beat or Round, from the said Hour of Ten, or such earlier Hour as shall be so appointed, as aforesaid, until Five in the Morning, during all the Months of *May, June, July, and August*; and from Ten, or such earlier Hour as shall be so appointed, as aforesaid, in the Evening, until Six in the Morning, during all the Months of *September, October, March, and April*; and from the Hour of Ten in the Evening, or such earlier Hour as shall be so appointed, as aforesaid, until Seven in the Morning, during all the Months of *November, December, January, and February*; and every such Watchman shall appear and be at the Watch-house belonging to each respective Parish, Liberty, Precinct, and Place, at least Half an Hour before he is to be at his Stand, to receive his Rattle and Arms, or other Accommodations, and shall return to the Watch-house the next Morning, when the Time for his keeping Watch is expired, to the End that both at Night and Morning his Name may be called over, and the Condition of his Arms, Rattle, and Lanthorn, may be examined by the Constable or Beadle of the Watch, or other Person to be appointed for that Purpose; and that each and every the Watchmen, who shall be appointed to patrol, shall appear at, and shall set out from, the Watch-house of the Parish, Precinct, or Place, in and for which he is employed, in the Evening of the first Day of *October*, and every Evening afterwards, until and upon the last Day of *April*, in every Year, at Eleven of the Clock, and shall (not singly, but two together, and not more) patrol the whole of the said Parish, Liberty, Precinct, or Place, or such Parts or Divisions thereof as shall be directed and appointed in each respective Parish, Liberty, or Place, where two or more Patroles are directed continually from that Hour, until Six of the Clock in the Morning, during the whole of the several Months of *December, January, and February*, and until Five of the Clock in the Morning, during the several Months of *October, November, March, and April*, and until Four of the Clock in the Morning, during all or so much of the other Months as such Patrol Watchmen respectively shall be employed.

Patrols appointed ;

and Payments
how to be made.

IX. And be it enacted by the Authority aforesaid, That the Watchmen appointed to patrol the said Parish of *Saint Mary le Strand*, shall, in Company, and together with one of the Watchmen appointed to patrol the said Parish of *Saint Clement Danes*, patrol the whole of said Parish of *Saint Mary le Strand*, and the Precinct of the *Savoy*, and such Part of the said Parish of *Saint Clement Danes* as lies Westward of the said Parish of *Saint Mary le Strand*, and of the said Precinct of the *Savoy*; and that the Trustees for the Watch to be nominated and chosen for the said Precinct of the *Savoy* shall, and they are hereby authorized, directed, and required, from Time to Time, to bear and pay to the Directors or Governors of the nightly Watch and Beadles of the said Parish of *Saint Clement Danes* for the Time being, or to such Person as shall be by them appointed to receive the same, one-fifth Part of the Wages and Charges of such Watchman of the said Parish of *Saint Clement Danes*, so to patrol in Company with the Watchman of the Parish of *Saint Mary le Strand*; and shall also pay to the Trustees for the Watch to be nominated and chosen for the said Parish of *Saint Mary le Strand*, or to such Person as they shall appoint to receive the same, one-fifth Part of the Wages and Charges of such Watchman, so to patrol in Company with the Watchman of the said Parish of *Saint Clement Danes*.

When the Patrol
Watchmen are
to be employed.

X. Provided, and it is hereby declared, That the said Vestries, Trustees, or other Persons, or any of them, are not required, nor shall be compellable, to employ any such Patrol Watchmen for any other Parts of any Year than during the several Months of *October, November, December, January, February, March, and April*, and within the said Liberty of *Saffron Hill, Hatton Garden, and Ely Rents*, during the several Months of *November, December, January, and February*, only.

51. Penalty for
assaulting a
Watchman.

XI. And be it further enacted, That if any Person or Persons shall assault or resist any Watchman whilst in the Execution of his Office, or shall promote or encourage the same; every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding five Pounds.

Constables Duty.

XII. And be it further enacted by the Authority aforesaid, That the Constables appointed, and to be appointed in and for the said Parishes of *Saint Clement Danes* and *Saint Mary le Strand*, shall watch in the Watch-houses of the said Parishes, as well within as without the Limits of the Duchy of *Lancaster*, alternately, and by Turns, in a Rotation, to be settled by the said Directors or Governors of the Watch for the said Parish of *Saint Clement Danes*, and the Trustees to be chosen in and for the said Parish of *Saint Mary le Strand*, as aforesaid, jointly, at some Meeting of the said Directors or Governors and Trustees, to be held for the Purposes of this Act, and as if such Constables were or had been chosen Constables for all Parts of both the said Parishes; and all and every such Constables, in the said Watch-houses, and in each and every other of the Parishes, Precincts, and Places, subjected to the Powers of this Act (the Precinct of the *Savoy* only excepted), each and every of the Constables and Headboroughs shall watch, in the Watch-house of the Parish, Liberty, Precinct, or Place, in and for which he shall serve as Constable or Headborough, alternately and by Turns, in a Rotation, to be settled and ascertained by the said Vestries, Trustees, or other Persons aforesaid, and shall continue so to do throughout the Year, during all the Hours herein and hereby appointed, for the Watchmen having Stands or Beats to watch and continue on Duty;

and shall take Charge, and dispose of, according to Law, all such Persons as shall be brought before such Constables or Headboroughs, by any of the Watchmen or Beadles, in Manner herein and hereby directed.

XIII. And, for the more easy ascertaining and settling the Rotation, or Turns, in which such Constables and Headboroughs are to watch as aforesaid, be it enacted, That the High Constable for the City and Liberty of *Westminster* for the Time being, and the High Constable for *Holborn* Division, in the County of *Middlesex*, for the Time being, shall, and they are hereby required, within four Days next after the Appointment of Constables and Headboroughs in and for the several Parishes, Liberty, Precinct, and Places, respectively included in this Act, within their respective Districts, to make and return to the Vestry Clerk of each of the said Parishes, Liberty, Precinct, and Places, a true List of the Constables and Headboroughs so appointed for such Parish, Liberty, Precinct, or Place respectively.

List of the Constables to be given to the Clerk of each Parish.

XIV. And be it further enacted by the Authority aforesaid, That every Watchman (other than and except such as are appointed to patrol) shall, every Night, twice in every Hour, during his whole Time of watching, go round his Walk or Beat, and loudly, and as audibly as he can, call or proclaim the Time of the Night or Morning; and every such Watchman, and every other Watchman appointed to patrol, as aforesaid, shall carefully observe and try whether the Houses, Shops, Warehouses, or other Buildings, in his respective Beat or Walk, are safe and well secured; and in case he shall discover and perceive, that any Doors, Shutters, Windows, or other Parts of any such House, Shop, Warehouse, or Building, shall not be shut and fastened, he shall forthwith give Notice thereof to the Occupier, or other Person or Persons inhabiting or being therein, to the End every such Door, Shutter, Window, or other Part of such Building, may be properly secured, and shall give his best Assistance in or toward securing the same; and each of the said Watchmen, as well Patroles as others, and every Beadle, shall, during his respective Time of watching, to the utmost of his Power, endeavour to prevent, as well all Mischiefs happening by Fire, as all Murders, Burglaries, Robberies, Affrays, and other Outrages and Disorders; and, to that End, during the Time of watching, each and every of them shall and may, and is hereby authorized and empowered, to arrest and apprehend all Night-walkers, Malefactors, Rogues, Vagabonds, and other loose, idle, and disorderly Persons, whom he shall find within his Beat or Walk, or within any Part of such Parish, Liberty, Precinct, or Place, for which he shall be Watchman, Patrolman, or Beadle, disturbing the publick Peace, or that he shall have Cause to suspect of any evil Designs, and all Persons lying or loitering in any Square, Street, Court, Lane, Mews, Yard, Alley, Passage, or Place; and to deliver the Person or Persons, so apprehended, as soon as conveniently may be, to the Constable or Headborough of the Night, at the Watch-house, in order that such Person or Persons may be there, or in some proper Place of Safety, secured and detained, until he, she, or they, can be conveniently conveyed before some or one of his Majesty's Justices of the Peace in and for the County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be, to be dealt with according to Law.

Watchman's Duty.

XV. And be it further enacted by the Authority aforesaid, That in case any one or more of the said Watchmen shall want any Assistance to enable him or them to perform any Part of the Duty herein and hereby required to be by him or them done; then, and in every such Case, any other of the Watchmen of the same, or any adjoining Parish, Precinct, or Place, having Knowledge or Notice thereof by the Rattle, or other Signal, Outcry, or otherwise, shall and may, and is hereby required, immediately to repair to and assist such Watchman or Watchmen wanting Assistance, by the best Ways and Means in his or their Power, and as the Case may require; but that no Watchman, during the Time of keeping Watch, as aforesaid, shall be absent from his particular Stand, Beat, or Walk, on any Pretence whatever, except on some such Occasion or Occasions as is or are above expressed, nor longer, on any other Occasion as before expressed, than the Necessity of the Case shall require; nor shall go into any Ale-house, or other Publick-house, during the aforesaid Times of watching, unless called there to or on account of an Affray, Breach of the Peace, or of the apprehending some Malefactor or disorderly Person.

Watchmen to assist each other in each Precinct.

XVI. And be it further enacted by the Authority aforesaid, That one or more Beadle or Beadles, on every Night of his and their watching, shall, twice, or oftener, go and patrol in and through all the Squares, Streets, and Places, in the Parish, Liberty, or Precinct, in which he shall watch, and shall see to the Behaviour of the Patroles and other Watchmen; and shall, twice, or oftener, in every such Night of watching, make true and just Returns and Reports to the Constable, Headborough of the Night, or to such other Person as shall be appointed to receive the same, of all Misbehaviours and Neglects of Duty (if any) of such Watchmen, as well Patroles as others, who shall be found negligent or remiss in the Duty of watching, or misbehaving in any Manner howsoever; and such Returns or Reports shall enter, or cause to be entered, in a Book or Books to be kept at the Watch-house for that Purpose, by such Beadle or Beadles, or other Person, to be appointed to keep and take Care of the same; and that each and every of the said Patroles shall also, twice, or oftener, in every Night, watch and see to the Behaviour of the other Watchmen, and shall make true and just Returns or Reports to the Constable, Headborough, Beadle of the Night, or to such other Person as shall be appointed to receive the same, of all Neglects of Duty, or other Misbehaviour (if any) of all the Watchmen; and shall enter, or cause to be entered, such Returns or Reports in the said Book or Books; which Book or Books shall be laid before the said Vestry, Trustees, Directors, or Governors of the Watch, and Governors and Directors of the Poor for the Time being, and before the Committee, and to be appointed, as herein directed, at every of their Meetings, to the End all such Neglects of Duty and Misbehaviours may be enquired into and punished pursuant to the Powers of the said former Acts, and of this Act.

Beadles to patrol through the Streets &c. Places.

XVII. And, for the more general Knowledge of the Residence of the Turncocks of the several Water Companies, which very materially concerns the publick Safety in Cases of Fire; be it enacted, That every of the said Turncocks employed within the Limits of this Act, shall, and they are hereby required, within fourteen Days after the passing the same Act, to deliver, in Writing, to some or one of the Con-

Turncock's Duty.

stables or Headboroughs of each and every the said Parishes, Liberty, Precinct, and Places respectively, wherein any Part of his Duty as a Turncock shall or ought to be performed, an Account of his Name and Place of Abode, together with the Names of the Streets and Places within his Duty, from Time to Time, to supply with Water; which Name and Place of Abode, and other Particulars, every such Constable or Headborough shall forthwith cause to be written, printed, or painted, in a plain and intelligent Manner, and affixed in some conspicuous Part of the Watch-house, and in every Watch-box of and within such Parish, Liberty, Precinct, and Place respectively; and that, on every Removal or Change of Residence, or Place or Places of Duty, of such respective Turncocks, every of such Turncocks shall severally forthwith give Notice, and deliver an Account, in Writing, of his and their new Residence or Abode, and new Duty, and such other Particulars as aforesaid, to a Constable or Headborough of each and every the Parishes, Liberty, Precinct, and Places, wherein such his Duty, or any Part thereof as a Turncock shall or ought to be performed as aforesaid; every of which Constables or Headboroughs shall, and he is hereby required to cause the same to be either in Writing, Printing, or Painting, affixed in Manner aforesaid, in the Watch-house, and in every Watch-box of and within the Parish, Liberty, Precinct, and Place, for which he shall be a Constable or Headborough, and so in like Manner, as often as such Changes of Residence and Duty respectively shall from Time to Time happen; and in case of the Death or Discharge of any such Turncock or Turncocks, every succeeding Turncock shall, in all Respects, observe and conform himself and themselves to the foregoing Rules, Orders, and Regulations: And if any Constable, Headborough, or Turncock, shall neglect his Duty, as directed and required by this Act, or if any Person or Persons shall wilfully remove or obliterate any such Writing, Printing, or Painting, as aforesaid, except on such Change of Residence, Death, or Discharge, as aforesaid, such Constable or Headborough, Turncock or other Person or Persons, shall, for every Offence, forfeit and pay to the Informer any Sum not exceeding ten Shillings; to be recovered before any one or more of his Majesty's Justices of the Peace for the said County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be.

Penalty on Neglect of Constables, &c.

Penalty on Watchmen neglecting their Duty.

XVIII. And be it further enacted by the Authority aforesaid, That if any of the said Watchmen shall misbehave himself, or shall neglect his Duty, upon Complaint thereof made to the said Vestries, Trustees, Directors, or Governors, of the Watch, Governors and Directors of the Poor, at any of their Meetings, or to the Committees to be appointed as herein directed at any of their Meetings, every Watchman so misbehaving or neglecting shall, for every such Misbehaviour or Neglect, forfeit such Sum or Sums of Money as the said Vestries, Trustees, Directors, or Governors, of the Watch, Governors and Directors of the Poor, or the Majority of them, or the said Committees, or the Majority of them, at any such Meeting assembled, shall adjudge and think fit to exact and require, not exceeding ten Shillings, to be retained and deducted out of the Wages then due, or to become due, to such Watchman.

Penalty on Victuallers, or Publick House-keepers, harbouring Watchmen; or Constables making Default of Watching.

XIX. And be it further enacted by the Authority aforesaid, That if any Victualler, or Keeper of any Publick-house or Cellar, shall knowingly harbour or entertain, or permit any Watchman having a Stand, or appointed to patrol, to abide or remain in his or her House or Cellar during any Part of the Hours or Times of watching herein and hereby appointed; or if any Constable or Headborough shall make Default of watching, and shall not watch and abide in the Watch-house during all the Hours and Times hereby directed and appointed for keeping Watch, every such Victualler, or Keeper of any Publick-house or Cellar, being convicted by his or her own Confession, or by the Oath of one or more credible Witnesses or Witnesses, of knowingly harbouring and entertaining, or permitting any such Watchman so to abide or remain; and every such Constable or Headborough making such Default of watching, as aforesaid, being thereof convicted by his own Confession, or by the Oath of one or more credible Witnesses or Witnesses, before any one or more Justice or Justices of the Peace for the County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be (which Oath such Justice or Justices is and are hereby authorised and empowered to administer), shall forfeit and pay the pecuniary Forfeitures herein-after expressed and directed; that is to say, Every such Victualler, or Keeper of a Publick-house or Cellar, for the first Offence, shall forfeit and pay the Sum of twenty Shillings; and for the second Offence, shall forfeit and pay the Sum of forty Shillings; and for the third and every subsequent Offence, shall forfeit and pay the Sum of five Pounds; and every such Constable shall forfeit and pay for every such Default of watching, or Absence from the Watch-house, any Sum not exceeding twenty Shillings, nor less than five Shillings.

Forfeitures how to be levied and applied.

XX. And it is hereby further enacted, That all and every the pecuniary Forfeiture and Forfeitures, which shall be incurred or become payable for any Offence or Offences against this Act, or any of the said former Acts, shall and may be levied by Warrant under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for the said County of *Middlesex*, or the said City and Liberty of *Westminster*, to be directed to any Constable or Headborough of the Parish, Liberty, Precinct, or Place, wherein each and every such Offence or Offences was or were committed, for which the Forfeiture or Forfeitures was or were incurred; and shall, when levied, be paid to the Collector or Collectors of the Rate or Rates to be made by virtue and in pursuance of the said former Acts, and of this Act, and be applied to the same Uses as the Monies to be collected by or upon such Rate and Rates are to be applied, in the Parish, Liberty, Precinct, or Place, wherein each and every the Offences aforesaid shall have been committed: And in case of no sufficient Distress, whereby to levy the Penalties, or any or either of them, inflicted by this Act, it shall and may be lawful to and for such Justice or Justices respectively, before whom the Offender or Offenders shall be convicted, to commit such Offender or Offenders to the common Gaol, or House of Correction, to hard Labour, for such Time not exceeding three Months, as such Justice or Justices, in his or their Discretion, shall think fit.

For want of Distress Offenders to be committed.

Form of Conviction.

XXI. And be it enacted by the Authority aforesaid, That the Justice or Justices before whom any Person or Persons shall be convicted, in Manner prescribed by this Act, shall cause every such respective Conviction to be drawn up in the Form, or to the Effect following; that is to say,

To

To wit, } **B**E it remembered, That on this Day in the Year
 of the Reign of A. B. (appearing, or being duly summoned and not ap-
 pearing,) is convicted before of his Majesty's Justices of the Peace for the said
 County of *Middlesex*, or for the City and Liberty of *Westminster*, (as the Case shall happen to be)
 of and do adjudge him, (her, or them, as the Case shall be) to pay and
 forfeit for the same the Sum of being the first, (second, or third) Offence, (as
 the Case shall be.)
 Given under Hand and Seal, or Hands and Seals, (as the Case may be) the Day and
 Year aforesaid.

And the said Justice or Justices, before whom such Conviction shall be had, shall cause the same so drawn up, in Form aforesaid, to be fairly written upon Parchment, and transmitted to the next General or Quarter Session of the Peace for the County of *Middlesex*, to be filed and kept amongst the Records of the said General or Quarter Sessions; and in case any Person or Persons who shall hereafter be convicted of any or either of the Offences punishable by this Act, or any or either of the said former Acts, shall conceive him, her, or themselves, to be aggrieved by such Conviction, that then, and in every such Case, it shall and may be lawful for such Person or Persons respectively, and he, she, or they, shall and may appeal to any General or Quarter Session of the Peace to be holden for the said County of *Middlesex*, within three calendar Months next after every such Conviction, giving unto the Justice or Justices before whom such Conviction shall be, ten Days Notice, at the least, of his, her, or their Intention to prefer such Appeal, and on every such Appeal, the Justices in such General or Quarter Session, or in any subsequent General or Quarter Session for the said County, shall and may, and they are hereby authorised and impowered to proceed to the Hearing and final Determination of the Matter of the said Appeal, and to make such Order therein, and award such Costs to be paid by and to either Party, as they in their Discretion shall think fit; which said Order shall be binding and conclusive on all Parties; and such Appeal, or the Subject-matter thereof, or any Order therein, shall not be removed by a Writ or Writs of *Certiorari*, or otherwise.

XXII. And be it further enacted by the Authority aforesaid, That in order to the Conviction of any Person or Persons of any Neglect, Refusal, Misbehaviour, or Offence, by or for which by Force or Virtue of any of the said former Acts, or this Act, any Forfeiture or Penalty shall or may be incurred, the Evidence and Testimony of any Parishioner or Inhabitant of the Parish, Liberty, Precinct, or Place, wherein such Neglect, Refusal, Misbehaviour, Offence, or Cause of Forfeiture or Penalty arose, shall be admitted, notwithstanding such Parishioner or Inhabitant shall and may be assessed, and contribute to the Rates to be made pursuant to the said former Acts, or this Act, or other parochial Rates or Taxes whatever; any Law or Custom to the contrary notwithstanding.

Evidence of a single Parishioner to be admitted.

XXIII. And, for the more effectually preventing the Appointment of improper Persons to be Deputy Constables within the City and Liberty of *Westminster*, be it enacted, That from and after the passing of this Act, no Person whatever shall be appointed a Deputy Constable in and for the said City of *Westminster*, or Liberty thereof, who shall not, at the Time of such Appointment, be an Householder, and Resident in the Parish, Liberty, Precinct, or Place, for which he shall be appointed, and who shall not produce a Certificate, or Testimonial, in Writing, signed by the Churchwarden or Chapelwarden of such Parish, Liberty, Precinct, or Place, signifying that he hath been approved at some Vestry, or other publick Meeting of the Inhabitants, having a Right to assemble in Vestry in such Parish, Liberty, Precinct, or Place, in and for which such Person shall be so appointed a Deputy Constable.

None but a Householder to be admitted a Constable in Westminster.

XXIV. And be it further enacted by the Authority aforesaid, That the Vestrymen of the said Parishes of *Saint Giles in the Fields*, and *Saint George Bloombury*, jointly, as one Vestry, or any seven or more of them, in and for the whole of the said united Parishes, and the Trustees to be elected and chosen as aforesaid in and for the said Parish of *Saint Mary le Strand*, or any five or more of them, and the Trustees to be elected and chosen as aforesaid in and for the said Precinct of the *Savoy*, or any three or more of them, in and for the said Parishes and Precinct, severally and respectively, shall and may, and are hereby impowered and required, from Time to Time, to use and exercise the same or like Powers, to make Rules, Orders, and Regulations, to be observed by the Constables, Headboroughs, Beadles, and Watchmen, and to cause Copies or Transcripts of all such their Rules, Orders, and Regulations, to be written or printed, and signed by the Vestry Clerk of the said several Parishes and Precinct respectively, and delivered to such Person and Persons respectively, and to make and sign Assessments on such Persons, and to be allowed in the same Manner, and to appoint such Collector and Collectors thereof, and to order Payment of any Monies in the Hands of any Collector or Collectors, and to apply, or direct the Application of Monies, levied, raised, or collected, upon or by virtue of any Rate or Rates so to be made, and the Surplus Money collected on any Rate or Rates, to carry on and apply, and to carry on the Deficiency of any Rate or Rates; and to cause to be kept such Books of Account of the total Sums assessed, collected, and received, and of all Monies paid and disbursed for or any way concerning the Nightly Watch and Beadles, and Charges incident thereto, and to do, perform, and execute, all such other Powers, Authorities, and Matters, and Things, about and concerning the Nightly Watch and Beadles, and the assessing, raising, levying, and collecting Monies to defray and discharge the necessary and reasonable Charges thereof, within their several and respective Parishes of *Saint Giles in the Fields*, and *Saint George Bloombury*, and *Saint Mary le Strand*, and the said Precinct of the *Savoy*, as the Trustees elected and chosen, and to be elected and chosen, by virtue and in pursuance of the said Statute of the tenth Year of his late Majesty's Reign, or any seven or more of them, are by the said Statute, and this present Act, impowered or required to use and exercise, nominate or appoint, make and sign, order or direct, do, perform, and execute, in and for the said Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, at such Time and Times, and in the same or like Manner, and as fully and effectually to all Intents and Purposes, as if the same Powers and Authorities

Power of the Vestrymen and Trustees.

rities thereby enacted and given to the said Trustees elected and chosen, and to be elected and chosen, in and for the last-mentioned Liberty, were herein expressed, enacted, and given, to the said Vestrymen for the said united Parishes of *Saint Giles in the Fields*, and *Saint George Bloomsbury*, to be by them, or any seven or more of them, used and exercised in their said united Parishes, and to the Trustees, to be elected and chosen as aforesaid, in and for the said Parish of *Saint Mary le Strand*, to be by them, or any five or more of them, and to the Trustees to be elected and chosen as aforesaid, in and for the said Precinct of the *Savoy*, to be by them, or any three or more of them, used and exercised within the said Parish of *Saint Mary le Strand* and the said Precinct of the *Savoy* respectively.

Directors and
Governors of the
Watch to meet
annually, or
oftener;

XXV. Provided nevertheless, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors or Governors of the Watch for the said Parish of *Saint Clement Danes*, and the Trustees to be elected and chosen in and for the said Parish of *Saint Mary le Strand*, if they, or the Majority of them, shall agree and so think fit, to assemble and meet together, attended by the Vestry Clerks of both the said Parishes, annually or oftener, in the Vestry-room of the said Parish of *Saint Clement Danes*, by general Summons of the Whole of them, or other Notice, to be agreed upon at the Time or Times in and by the said Statute of the fourth Year of his present Majesty's Reign, appointed for the making general Rules, Orders, and Regulations, for the Government of the Nightly Watch and Beadles within the said Parish of *Saint Clement Danes*; and the said Directors, or Governors and Trustees, or the major Part of them, so assembled, may and shall, if they shall so think fit, join together, and, as one Body, make and set down, in Writing, such and the same Rules, Orders, and Regulations, to be observed by the Constables, and by the Nightly Watch and Beadles of and in both the said Parishes of *Saint Clement Danes* and *Saint Mary le Strand*, as well all such Parts thereof as are and lie in the Duchy of *Lancaster*, in the County of *Middlesex*, as in the Liberty of *Westminster*, during their respective Times of watching, as at every such Meeting shall be agreed upon by the major Part of such Directors, or Governors, and Trustees, then and there assembled; and to cause Copies or Transcripts of such Rules, Orders, and Regulations, to be fairly written or printed, and signed by both the said Vestry Clerks, to be delivered to the Constables and Beadles of the said Parishes.

and to make
Rules and Or-
ders.

Trustees to ap-
point Collectors;
and allow them
6 d. per Pound.

XXVI. And be it further enacted by the Authority aforesaid, That the said Vestries, Trustees, or other Persons, authorized to exercise the Powers of any of the said former Acts, or of this Act, or any Number of them, hereby, or by any of the said former Acts, impowered, are hereby authorized and required to nominate and appoint a Collector or Collectors of any Rate or Rates, or any Part or Parts of such Rate or Rates; and by or out of the Rates or Assessments, to be made and collected as aforesaid, to make such Allowance or Allowances to such Collector or Collectors respectively, for his or their Trouble in collecting the same, as they shall think fit, not exceeding Sixpence in the Pound, of the clear neat Monies collected by such Collector or Collectors.

Collectors to
find Security.

XXVII. Provided, and it is hereby enacted and declared, That every such Collector who shall accept, or agree to accept, any Allowance for collecting any such Rate or Rates, Assessment or Assessments, shall give Security by Bond, with two sufficient Sureties, in a sufficient Penalty, to three or more of the Vestry, Trustees, Directors, or Governors, or other Persons hereby or by the said former Acts authorized to execute the Powers of this Act, and of the said former Acts respectively, or to such other Person or Persons as shall be appointed by them for that Purpose, well and faithfully to account for and pay the Monies by them collected, or otherwise received, to such Person or Persons as the said Vestries, Trustees, or other Persons, authorized as aforesaid, or a Majority of them, assembled at any of their Meetings, shall authorize and direct to receive the same.

Executors of
Collectors to de-
liver up Papers,
&c. on pain of
forfeiting 50 l.

XXVIII. And be it further enacted, That if any Person, appointed to receive or collect any Money by virtue of this Act, or any of the said former Acts, shall die, before he shall have fully paid and satisfied all the Monies by him received by virtue of this Act, or any of the said former Acts; then, and in every such Case, the Executors, Administrators, or other legal Representative or Representatives, of every such Person so dying as aforesaid, shall, within forty Days after they shall be required to do, deliver up to the said Vestries, Trustees, or other Person authorized by them to receive the same, all Rates, Assessments, Books, Papers, and all other Things concerning his said Office, on Pain of forfeiting the Sum of fifty Pounds, over and above what shall be in his Hands, on refusing or neglecting to deliver the same within the Time before mentioned; which said Penalty shall and may be levied by Distress and Sale of the Goods and Chattels of such Executors, Administrators, or other legal Representative or Representatives, so refusing and neglecting; and shall also pay to such Person or Persons as the said Vestries, Trustees, or other Persons, authorized as aforesaid, shall appoint to receive the same, all such Sums of Money remaining due, which he received by virtue of his said Office at the Time of his Death; and the Receipt or Receipts of the said Vestries, Trustees, or other Persons authorized to receive the same, shall be a good Discharge for the said Money.

One Family in a
Tenement to be
rated with As-
sessment.

XXIX. Provided always, and be it enacted, That if any House or Tenement shall be occupied in different Apartments, Rooms, or Lodgings, by distinct and separate Families, Lodgers, or Inmates, any one or more of such Lodgers or Inmates, or any one of any such Families, or the Landlord or Owner of such House or Tenement, shall be charged with the whole Assessment or Assessments to be rated and assessed on the said House or Tenement; and, in case of Nonpayment, the Sum so to be assessed shall and may be levied and recovered upon, from, or against, such Landlord or Owner, or any one or more of the Inhabitants or Occupiers of any Part or Parts of such House or Tenement, in the same or like Manner as other Rates or Sums to be assessed by the Assessment and Assessments directed by this Act, or any of the said former Acts, to be made, or herein or in and by the said former Acts appointed to be levied and recovered.

Goods of Lod-
gers in any

XXX. And be it further enacted by the Authority aforesaid, That the Goods and Chattels of every Person, being in any House let furnished, or any separate Apartment, Room, or Lodging, in any House let

et ready furnished, or let to several Families or Tenants within the said Parishes, Liberty, Precinct, and Places respectively, shall be liable to be distrained, taken, and sold, in the Manner herein directed for the Payment of the Assessment or Assessments to be made by the Authority of any of the said former Acts, or of this Act; and that each and every Person and Persons who shall pay any such Assessment or Assessments, whether the same shall have been charged to or on the Person paying the same, or to or on any other Tenant or Occupier of any separate Apartment, Room, or Lodging, Part of such House, or on the Landlord or Landlords of such House, or any Person upon whose Goods or Chattels such Assessment or Assessments shall be levied in pursuance of any of the said former Acts, or of this Act, shall and may deduct the same from and out of the Rent due and payable, from Time to Time, to his or her Landlord or Landlords; and every Receipt for the Payment of such Assessment or Assessments shall be a sufficient Discharge from and against such Landlord or Landlords for so much Money in Part, or on account of Rent, as shall have been so paid or levied on his or her Goods and Chattels in pursuance of this Act, or of any of the said former Acts.

House liable to be distrained.

XXXI. Provided always, and be it further enacted by the Authority aforesaid, That every Rate, Tax, or Assessment, which shall be made or imposed by virtue of this Act, or of any of the said former Acts, on any Person or Persons, for or in respect of any House or Tenement in which any Ambassador, Resident, Agent, or publick Minister, of any foreign Prince or State, or any Officer or Servant of any Ambassador, Resident, Agent, or Minister, of any foreign Prince or State, who now doth or hereafter shall inhabit or occupy, shall be paid by the Landlord, Lessee, or Owner of such House or Tenement, who shall be subject and liable to the Payment thereof, in like Manner as if he, she, or they, had been the Occupier or Occupiers thereof, and actually named and assessed in such Rate or Assessment; and such Tax, Rate, or Assessment, and every other Tax, Rate, or Assessment, to which any Landlord or Owner of any House or other Tenement is by this Act, or any of the said former Acts, made liable to bear or pay; and also every Tax, Rate, or Assessment, which shall be assessed on any Person or Persons chargeable by any of the said former Acts, or this Act, who after the making such Assessment, shall move out of the Parish, Liberty, Precinct, or Place, for which such Rate or Assessment hath been or shall be made, leaving the Sum or Sums so assessed in Arrear and unpaid, shall and may be levied by the Collector or Collectors thereof, by Distress and Sale of the Goods and Chattels of such Landlord, Lessee, or Owner, or other Person or Persons assessed as last aforesaid, wherever such Goods or Chattels may be, or can or shall be found, in Manner herein-after directed.

Assessments on Houses, occupied by Ambassadors, &c. to be paid by the Landlords.

XXXII. And it is hereby further enacted and declared by the Authority aforesaid, That if any Person or Persons who shall be charged, rated, or assessed, or by this Act subjected or made liable to the Payment of any Sum or Sums of Money by any such Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, shall refuse or neglect to pay the Sum so rated and assessed upon him, her, or them, as aforesaid, it shall and may be lawful to and for such Collector or Collectors of such Rate or Rates, Assessment or Assessments, by Warrant or Warrants under the Hands and Seals of two or more Justices of the Peace for the County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be, inhabiting in or near the said several Parishes, Liberty, or Precinct respectively, to levy the same by Distress and Sale of the Goods of the Party so neglecting or refusing, rendering to him, her, or them, the Overplus (if any be), the reasonable Charges of making such Distress and Sale being first deducted.

Goods to be distrained, when Persons refuse to pay the Sum rated.

XXXIII. And, for the more effectual getting in and receiving the Monies to be assessed by virtue of this Act, or any of the said former Acts, be it enacted, That the Goods and Chattels of any Person or Persons assessed, and refusing or neglecting to pay as aforesaid, may, under and by virtue of such Warrant, as aforesaid, be taken and distrained, not only within the Parish, Liberty, Precinct, or Place, for which such Assessment was made, but in any other Place within the said County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be; and if sufficient Distress cannot be found within the said County, then on Oath made thereof, and of the signing of such Warrant before any Justice of the Peace, for any other County, City, Riding, Division, or Liberty, (which Oath shall be certified under the Hand of such Justice, by Indorsement on the said Warrant) the Goods and Chattels of such Person and Persons as aforesaid shall and may, by such Collector, under and by virtue of such Warrant and Indorsement thereof, as aforesaid, be taken and distrained, in such other County, City, Riding, Division, or Liberty, and sold for Satisfaction of the Monies so refused or neglected to be paid as aforesaid, and all reasonable Charges of such Distress and Sale, in the same or like Manner, and as fully and effectually, to all Intents and Purposes, and with like Application of the Surplus (if any), as if such Goods and Chattels had been found, taken, and distrained, within the Parish, Liberty, Precinct, or Place, in and for which such Rate or Assessment was made.

Goods may be distrained any where within the County of *Middlesex*, or City of *Westminster*.

XXXIV. And whereas Persons frequently remove out of Parishes and Places without paying the Rates assessed on them, and other Persons do enter and occupy their Houses or Tenements, Part of the Year, by reason of which great Sums are annually lost to such Parishes and Places; be it therefore enacted, That in case any Person or Persons shall come into, or occupy any House, Land, Warehouse, Wharf, Tenement, or Hereditament, out of or from which any other Person assessed shall have removed, or which at the Time of making such Rate was empty and unoccupied; that then, every Person so removing from, and every Person so coming into or occupying the same, shall respectively be liable to pay, and shall pay, so much of the said Assessment as shall be in proportion to the Time he, she, or they, shall respectively inhabit or occupy the Premises so assessed, in the same or like Manner, and with and under the same or like Powers of Distress, for Recovery thereof, as is or are herein-before given, directed, or contained, in common Cases of Nonpayment of such Rates or Assessments; which said Proportion, in case of Dispute, shall be ascertained by any two or more of his Majesty's Justices of the Peace for the County of *Middlesex*, or City and Liberty of *Westminster*, as the Case may be.

Persons moving from,

and those entering into Houses, to pay proportionable Rates.

XXXV. And

No Person by being chosen a Patrol or Watchman to gain a Settlement; and no menial Servant to be chosen Beadle, &c.

Persons appointed to receive the Rates from the Collectors, to pay the Watchmen, as the Directors shall appoint,

and shall make up a true Account of all Sums received and paid, &c.

Vestries, &c. to chuse a Committee annually.

How often Meetings are to be held. Place of Meeting, and Powers of the Committee.

Acts, Orders, &c. of the Committee to be under the Controul of the Directors, &c.

Supernumerary Watchmen, when on Duty, vested with the same Powers as the other Watchmen, &c.

Trustees and Vestries to meet and make Rates upon Persons becoming Occupiers.

XXXV. And be it enacted by the Authority aforesaid, That no Person or Persons who shall be charged in or pay any Rate or Assessment to be made by virtue of in pursuance of any of the said former Acts, or of this Act, or who shall be chosen a Patrol or Watchman, shall be deemed or construed thereby to gain any Settlement in the Parish, Liberty, Precinct, or Place, in and for which such Rate or Assessment was made, or in or for which he was chosen Patrol or Watchman; and no Person who shall be a menial or hired Servant, shall be capable of being chosen a Beadle, Patrol, or Watchman, during the Time of his Continuance in such Service.

XXXVI. And be it further enacted by the Authority aforesaid, That all and every Person or Persons who shall, in pursuance of this Act, or any of the former Acts, be appointed to receive from the Collector or Collectors of any Rate or Rates, Assessment or Assessments, made, or to be made, in pursuance of any of the said former Acts, or of this Act, the Money collected or levied by virtue of such Rate or Rates, Assessment or Assessments, shall, from Time to Time, pay over the Monies arising from the same to such Watchmen, Beadles, or other Persons, at such Time and Times, and in such Proportions, as the Vestrymen, Directors, or Governors of the Watch, Governors and Directors of the Poor, or Trustees for the said Parishes, Liberty, Precinct, and Places respectively, or any three, five, seven, or more of them, authorised to exercise and execute the Powers of this Act, and the said former Acts respectively, as aforesaid, shall appoint; and shall then, upon the several Days and Times, in and by the said former Acts severally and respectively for that Purpose limited and appointed, or else on such other Day as the said Vestrymen, Trustees, Directors, or Governors, shall appoint, make, and yield up, to the said Persons authorised and empowered, as aforesaid, a true and perfect Account of all Sums of Money by them received and paid; and also pay and deliver into the Hands of such other Person or Persons, whom such three, five, seven, or more Persons authorised respectively shall appoint to receive the same, as aforesaid, all such Sums of Money as shall remain in their or any of their Hands.

XXXVII. And be it further enacted by the Authority aforesaid, That the said Vestries, Trustees, Directors, or Governors of the Watch, Governors and Directors of the Poor of each and every of the Parishes, Liberty, Precinct, and Places aforesaid, at their several and respective Meetings for appointing the Number of Watchmen and Beadles, to be employed as aforesaid, or the major Part of such of them as shall be then met and assembled, shall and may, if they shall so think fit, nominate and chuse any Number of them the said Vestrymen, Trustees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, as they respectively shall think fit, not exceeding ten, nor less than five, to be a Committee, to have Continuance for one Year from thence next ensuing, and no longer; and that the said Vestries, Trustees, Directors, or Governors of the Watch, and Governors and Directors of the Poor, may and shall meet four Times in every Year, or oftener, if they shall see fit; and that the said Committee shall meet at the usual Place of Meeting for transacting the publick Business of each and every the said Parishes, Liberty, Precinct, and Places, within the first Week in every Month, or oftener, if they shall think fit, and as well the said Vestries, Trustees, Directors, or Governors of the Watch, and Governors and Directors of the Poor respectively, or the Majority of them present at every their said Quarterly, or other Meetings, as the said Committees, or the Majority of them, present at every their said Monthly, or other Meetings, may and shall, and are hereby empowered to summon or call before them all and every the Constables, Headboroughs, Beadles, Patroles, and other Watchmen, and to examine into their Behaviour respecting the Nightly Watch, and reward or censure them accordingly; and to hear and redress Complaints, and to give all necessary and occasional Directions, and to see to the due Payment of the Wages and Allowances to be made and given to such Patroles, and other Watchmen, and to encourage the Attendance of supernumerary Watchmen, to the End such Supernumeraries (if thereto required) may go upon Duty as Watchmen instead of such of the more constant Patroles, or other Watchmen, as by Means of Sickness, or for any other Cause, shall not attend, by making to such supernumerary Watchmen, whether they shall be so employed or not, such pecuniary Allowances as they respectively shall judge fit and reasonable for their Attendances.

XXXVIII. Provided nevertheless, and it is hereby enacted and declared, That all and every the Acts, Orders, and Directions, of every the said Committees respectively, shall be subject to the Controul, Alteration, or Revocation, of the said Vestries, Trustees, Directors, or Governors of the Watch, and Governors and Directors of the Poor respectively, at their next or other subsequent Meetings, and shall continue in Force until such Meetings, and no longer, unless approved of and confirmed by the said Vestries, Trustees, Directors, or Governors of the Watch, and Governors and Directors of the Poor respectively, or the Majority of them present at their next Meeting, after the making such Acts, Orders, and Directions.

XXXIX. Provided also, and it is hereby further enacted and declared, That every such supernumerary Watchman, during all such Times as he shall watch, and be employed and go upon Duty, instead of any Patrol or other Watchman, shall have like Powers and Authority in all Cases as are given to any Patroles or other Watchmen, and shall be subject and liable to the same Rules, Orders, and Regulations, and to the like Forfeitures for Misbehaviour and Neglect of Duty, as the Watchmen and Patroles to be appointed by any of the said former Acts, or this Act, are hereby subjected and made liable to.

XL. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said several Vestries, Trustees, Directors, or Governors of the Watch, Governors and Directors of the Poor respectively, or so many of them as are, by any of the said former Acts, or this Act, empowered to make Rates, as aforesaid, to meet together at any intermediate Times in every Year, as Occasion shall require, Notice of such Meetings being given in the Church or Chapel of the said several Parishes, Liberty, Precinct, and Places respectively, as before directed, and to make a Rate or Assessment upon all and every Person or Persons who shall become Occupier or Occupiers of any House, Tenement, Shop, Warehouse, Cellar, or other Building, in every of the said Parishes, Liberty, or Precinct respectively, after the Rate

for that Year or Half Year shall have been made and assessed, as aforesaid; which Rate and Assessment being allowed and confirmed by two or more Justices of the Peace for the County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be, shall and may be raised, levied, and collected, by such Person or Persons, and in such Manner, as the before-mentioned Rate is directed to be raised, levied, and collected, by any of the said former Acts, respecting such Parish, Liberty, or Place, or by this Act.

XLII. Provided always, and it is hereby enacted and declared, That no Person or Persons, who shall be rated to and pay any Rate or Rates to be made in pursuance of this Act, shall be liable to Watch or Ward by virtue of the Statute commonly called *The Statute of Winchester*, made in the thirteenth Year of the Reign of King *Edward* the First, or any other subsequent Statute relating thereto, but shall be and are discharged of and from the same.

No Person rated to be liable to the Statute 13 Edw. 1.

XLIII. Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Person or Persons shall find him, her, or themselves, aggrieved by any Rate or Assessment to be made by virtue or in pursuance of any of the said former Acts, or of this Act, then, upon Appeal to the next General Quarter Session, or General Session of the Peace, to be held for the said County of *Middlesex*, which shall be first held after fourteen Days after Notice of such Rate or Demand made of the Sum thereby rated or assessed, Notice of such Appeal being given to or left for the Collector of such Rate, six Days at the least before the first Day of such Session, it shall and may be lawful for the Justices of the Peace, or the greater Number of them then assembled, at and in such General Quarter Session, or General Session, to make such Order therein as to them shall seem meet; which said Order shall be final and conclusive to all Parties; and such Appeal, or the Subject-matter thereof, or any Order therein made, shall not be removed by Writ of *Certiorari*, or otherwise.

Persons aggrieved may appeal to General Sessions.

XLIV. And it is hereby enacted and declared, That all Money whatsoever to be collected or received by virtue of this Act, or any of the said former Acts, shall be applied and applicable to the defraying of the Expences of the said Nightly Watch and Beadles, and other Charges incident thereto: And if any Collector or Receiver, to be appointed by virtue or in pursuance of this Act, shall refuse or neglect to give a just Account, or to pay the Monies remaining in his Hands to any Person or Persons authorized to receive the same, it shall and may be lawful for any two Justices of the Peace for the said County of *Middlesex*, or City and Liberty of *Westminster*, as the Case shall be, upon Complaint to them made by any one or more of the said Vestrymen, Trustees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, to whom the said Collector or Receiver shall be accountable by virtue of any of the said former Acts, or of this Act, and Proof thereof made upon Oath by one or more credible Witnesses or Witnesses (which Oath the said Justices are hereby authorized and impowered to administer), by Warrant under their Hands and Seals, to commit such Collector or Receiver to the common Gaol, there to remain without Bail or Mainprize until he shall have made a true Account, and shall also have satisfied and paid such Sum or Sums of Money, as upon the said Account shall appear to be remaining in his Hands.

Money collected how to be applied. Collectors refusing or neglecting to account to be committed.

XLV. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of any of the said former Acts, or of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Default or Want of Form in the Warrant or Warrants of Distress, or any Proceedings relating thereto, nor be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage only, by Action on the Case.

Distress not deemed unlawful for want of Form, &c.

XLVI. And be it further enacted by the Authority aforesaid, That no Rate or Rates, Assessment or Assessments, made, or to be made, by virtue of any of the said former Acts, or of this Act, or any Proceeding to be had touching any Order made, or to be made, or any other Matter or Thing done, or to be done, or transacted in, or relating to, any Complaint or Appeal, or any Order or Determination thereon, shall be quashed or vacated for want of Form, or be removed into any of his Majesty's Courts of Record at *Westminster*, by *Certiorari*, or by any other Writ or Process whatsoever; any Law, Statute, or Usage, to the contrary notwithstanding.

Proceedings not removable by Certiorari.

XLVII. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespas, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, every or any such Irregularity, Trespas, or wrongful Proceeding, before such Action brought: And in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any Action, if he, she, or they, shall so think fit, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Order and Judgment shall be made or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs not to recover if Tender of Amends be made. How Defendants may proceed when no Tender hath been made.

XLVIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of any of the said former Acts, or of this present Act, that every such Action or Suit shall be commenced within three Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Middlesex*, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, may plead the General Issue, and give this Act, and any of the said former Acts, and the special Matter, in Evidence on any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of any of the said former Acts, or of this present Act: And if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, City, or Place; that then, and in such Case, the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer,

Limitation of Actions.

General Issue.

Judgment

Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have, and may recover, treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.

Publick Act. XLVIII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. XCI.

An Act more effectually to improve and complete the Navigation of the River *Thames*, westward of *London Bridge*, within the Liberties of the City of *London*, and to prevent any Vessel or Barge from being moored in *Taplow Mill-stream*, in the County of *Bucks*.

Preamble.

WHEREAS, by virtue of and under divers Charters, recognized and confirmed by divers Acts of Parliament, the Mayor, and Commonalty, and Citizens, of the City of *London*, have had and exercised, and ought, and have accustomed themselves to have and exercise, the Office of Bailiff and Conservator of the Water of *Thames*, to be exercised and occupied by the Mayor of the same City for the Time being, during the Time of his Mayoralty, or by his sufficient Deputies, in, upon, and about the Water of *Thames*; (that is to say,) from the Bridge of the Town of *Staines*, in the County of *Middlesex*, and towards the East unto *London Bridge*, and from thence to a certain Place, called *Kendall*, otherwise *Yenland*, otherwise *Yeenleet*, towards the Sea, and East, and in *Medway*, and in the Port of the City of *London* aforesaid; and upon whatsoever Bank, and upon every Shore, and upon every Wharf of the same Water of *Thames*, within the Limits and Bounds aforesaid; and in, upon, and about all and every of them; and also for all the Time aforesaid, have had and taken, and ought, and have accustomed themselves to have and take, to their own proper Use, by the Mayor of the same City for the Time being, during the Time of his Mayoralty, or his sufficient Deputies, all Wages, Rewards, Fees, and Profits, belonging to the same Office of Bailiff: And whereas, by an Act of Parliament, made and passed in the eleventh Year of the Reign of his present Majesty, intituled, *An Act for improving and completing the Navigation of the Rivers Thames and Isis, from the City of London to the Town of Cricklade, in the County of Wilts*, certain powers were granted to the Commissioners thereby appointed, for preserving and improving the Navigation of the said Rivers: And whereas the said Act contains a Clause or Proviso, declaring, That nothing in the said Act contained shall extend, or be construed to extend, to take away any Rights, Jurisdiction, Power, or Authority of the Mayor, Commonalty, and Citizens of the City of *London*, or any other Body Politick or Corporate, or other Person or Persons whatsoever, or to enable the Commissioners to erect Weirs, Locks, Turnpikes, or Toll-gates, within the Liberties or Jurisdiction of the City of *London*: And whereas the Commissioners, in and by the said Act of Parliament appointed, being restrained, by the said Clause or Proviso, from exercising some of the principal Powers and Authorities in the said Act contained, between the said City of *London* and the City-stone above *Staines Bridge*, being the first Part or District of the said Navigation, in and by the said Act described, have not attempted the Execution of the said Act within the said first District: And whereas the Improvement of the Navigation of the River *Thames*, westward of *London Bridge*, within the Liberties or Jurisdiction of the City of *London*, will be a Work of great publick Utility: And whereas the Mayor, and Commonalty, and Citizens, of the City of *London*, are willing to apply the Sum of ten thousand Pounds (if necessary), out of their own Estates, towards carrying the said Work into Execution, without laying any Toll or Duty on Persons navigating the River *Thames* within the said Liberties or Jurisdiction: And whereas the Powers with which the Mayor, and Commonalty, and Citizens, of the City of *London*, are at present vested are not sufficient to enable them effectually to improve and complete the said Navigation; and it is apprehended, that the Powers granted by the said Act of Parliament, made and passed in the eleventh Year of the Reign of his present Majesty, to the Commissioners thereby appointed, will clash with the Powers which must necessarily be granted to the Mayor, and Commonalty, and Citizens, of the City of *London*, for improving and completing the Navigation of the River *Thames*, between the City of *London* and the City-stone above *Staines Bridge*: And whereas some further Regulation is necessary for removing certain Inconveniencies in another Part of the Navigation of the said River; 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 of Parliament, made and passed in the eleventh Year of the Reign of his present Majesty, as vests the Commissioners thereby appointed, or in pursuance thereof appointed, or to be appointed, with any Power or Powers, Authority or Authorities, for improving and completing the Navigation of the River *Thames*, between the City of *London* and the City-stone above *Staines Bridge* aforesaid, shall be, and the same is hereby, repealed; but so as not to restrain or prejudice such Commissioners from, or in the Exercise of, any of the Powers or Authorities by the same Act granted, so far as the same relate to the improving and completing the Navigation of the River *Thames* and *Isis*, from the City-stone above *Staines Bridge* to the Town of *Cricklade* aforesaid.

Act 11 Geo. 3.

Part of the former Act repealed.

Powers given to the Mayor, &c. to improve the Navigation, and to appoint a Committee.

II. And be it further enacted by the Authority aforesaid, That the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, shall have Power and Authority, and they are hereby authorized and empowered, to improve and complete the Navigation of the River *Thames*, between the City of *London* and the City-stone above *Staines Bridge* aforesaid; and for that Purpose to appoint a Committee, from Time to Time, to manage and transact such Matters as they may find necessary; which Committee, so to be appointed, shall have such Powers and Authorities as shall, from Time to Time, be delegated or given to them by the said Mayor, Aldermen, and Commons, in Common Council assembled.

III. Provided

III. Provided nevertheless, and be it enacted by the Authority aforesaid, That no Person shall be eligible or capable of acting as a Member of such Committee, during such Time as he shall have, or execute, any Office or Place of Profit, by or under the Authority of this Act, or during such Time as he shall have any Share or Interest in any Contract or Agreement for effecting any of the Purposes of this Act. Provide.

IV. And be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen, and Commons, in Common Council assembled, shall have full Power and Authority to make such Orders and Constitutions, for the purchasing of Locks, Ferries, and Lands, for the Use of the said Navigation; and to purchase and make such Towing-paths, Banks, Roads, Bridges, Ferries, and Ways, for the towing, haling, or drawing of Boats, Barges, and other Vessels, with Horses, or otherwise, passing in, through, or upon the said River *Thames*, between the City of *London* and the City-stone above *Staines Bridge* aforesaid; and to purchase or make such Wharfs, Locks, Weirs, Bucks, Winches, Spikes, Dams, Floodgates, and Engines, for the completing and carrying on the said Navigation, as the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, shall think necessary and convenient for the Purposes aforesaid; and also to make Orders and Regulations touching the Sizes and Drafts of all Boats, Barges, and other Vessels navigating the said River of *Thames*, between the City of *London* and the City-stone above *Staines Bridge* aforesaid; and such only as shall be navigated upon the said River of *Thames*, to and from the City of *London*, and the City-stone above *Staines Bridge*, and to and from all the intermediate Places, and to settle proper Gages on the Sides thereof, and how deep they shall load at all Times; and also to make and appoint all such other necessary Orders, Constitutions, Rules, and Regulations, concerning the said Navigation, and also concerning such Weirs, Bucks, Winches, Dams, Floodgates, and other Engines, and Towing-paths, lying between the Places aforesaid; and the Shutting, Penning, Opening, Drawing, Use, or Management thereof, for the Benefit and Safety of the said Navigation, and making Satisfaction for the Loss or Damage any Owner or Owners, or Occupiers, of Mills or Lands, shall or may sustain thereby; and concerning all Barges, Boats, or Vessels, passing by, through, or with the Help of the same, and Behaviour of all Bargemen, Boatmen, and Watermen, belonging to, or working in, such Barges, Boats, or Vessels; and to give such Reparation, Satisfaction, and Damages, to the Person or Persons aggrieved thereby, as likewise to the Owners or Occupiers of Lands, Meadows, or other Grounds, who shall be damaged by the Neglect or Refusal of the Owners of such Weirs, Bucks, Winches, and Floodgates, in not opening, and keeping open the same, until the Water is sunk below the Water-mark, as to them shall seem meet. Power to purchase Lands, &c. for the Purposes of this Act.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, or Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Guardians and Committees for Lunatics and Idiots, Executors, Administrators, and Guardians whatsoever, not only for or on Behalf of themselves, their Heirs and Successors; but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes-covert, or other Persons whatsoever; and to and for all Femmes-covert who are or shall be seised in their own Right, and to and for all every Person and Persons whomsoever, who are or shall be seised or possessed of, or interested in, any Lands, Tenements, or Hereditaments; which, by the said Mayor, Aldermen, and Commons, in Common Council assembled, or the Committee to be by them appointed, as aforesaid, shall be thought necessary to be purchased for the Purposes of this Act, to sell and convey all or any such Lands, Tenements, Hereditaments, Estates, and Interests, or any Part thereof, to the said Mayor, and Commonalty, and Citizens; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons, as aforesaid, shall be good and valid in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes-covert, or other Persons whomsoever, and all claiming, or to claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof, in any-wise notwithstanding: And that all such Persons so conveying, as aforesaid, are, and shall be, indemnified for what they shall do, by virtue of, or in pursuance of, this Act, notwithstanding any Omission or Mistake of Matter of Form whatsoever: And if it shall happen that any Person or Persons, Body or Bodies Politick, Corporate or Collegiate, or other Person or Persons, seised or possessed of, or interested in, any such Lands, Tenements, or Hereditaments, as aforesaid, shall refuse to treat or agree for the Sale and Conveyance of their respective Estates and Interests therein, with the said Mayor, Aldermen, and Commons, in Common Council assembled, or with any Person or Persons authorised by them, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Mayor, Aldermen, and Commons, in Common Council assembled, or to the Person or Persons so authorised by them; then, and in every such Case, it shall and may be lawful to and for the Court of Mayor, Aldermen and Commons of the said City, to be holden in the outer Chamber of the Guildhall of the said City, according to the Custom of the said City, and the said Court is hereby impowered and authorised to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriffs of the City of *London*, or the Sheriff of the County of *Middlesex*, or the Sheriff of the County of *Surrey*, as the Case shall require, who are, and each of them is hereby authorised, directed, and required accordingly to impanel and return a competent Number of substantial and disinterested Persons, qualified to serve on Juries, not less than forty-eight, nor more than seventy-two, and out of such Persons, so to be impanelled, summoned, and returned, a Jury of twelve Persons shall be drawn by some Person to be by the said Court appointed, in such Manner as Juries for the Trial of Issues, joined in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Court of Mayor and Aldermen, Bodies Politick, Trustees, &c. may convey Lands.

Upon Refusal, to agree to a Sale, or bad Title made,

Juries may be summoned.

Aldermen, if the Premises in Dispute lie in the said City of London, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and if the Premises lie in either of the Counties of *Middlesex* or *Surrey*, to come and appear before the Justices of the Peace for the County where the Premises lie, at some General Quarter Sessions of the Peace to be holden for the same County, or some Adjournment thereof; and to attend the said Courts respectively, from Day to Day, till discharged by the said Courts respectively; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array: And the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, are hereby authorized and empowered, by Precept or Precepts, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought proper or necessary to be examined as a Witness or Witnesses, on their Oath or Oaths, touching and concerning the Premises: And the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places in question, in such Manner as they shall direct; and the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require; and to command such Jury, Witnesses, and Parties, to attend until all such Affairs for which they were summoned shall be concluded: And the said Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, are hereby empowered and required to administer), shall inquire of the Value of such Lands, Tenements, and Hereditaments, and of the respective Estate and Interest of every Person seized or possessed thereof, or interested therein, or of or in any Part thereof; and shall assess and award the Sum or Sums to be paid to every such Person or Persons, for the Purchase of such their Estates and Interests; and the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, shall and may give Judgment for such Sum or Sums of Money so to be assessed; which said Verdict or Verdicts, and the said Judgment, Decree, or Determination, thereupon (Notice in Writing being given to the Person or Persons interested, or claiming so to be, at least fourteen Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Lands, Tenements, or Hereditaments, intended to be valued and assessed, in case such Party cannot otherwise be found out to be served with such Notice), shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person and Persons, Bodies Politick and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of the said Lands, Tenements, or Hereditaments, and Premises, either in Possession, Reversion, Remainder, or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots, and Females-covert, and Persons under any other legal Incapacity or Disability, as all other Cestuique Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, and Juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written on Parchment, and signed and sealed by the Mayor for the Time being, or by the Justices present, or the major Part of them.

VI. And it is hereby further enacted and declared, That, upon Payment of such Sum or Sums of Money so to be awarded or adjudged, the Person or Persons to whom the same shall be so awarded for the Purchase of the said Lands, Tenements, or Hereditaments, or for the Purchase of any Estate or Interest therein, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Mayor, and Commonalty, and Citizens, of the said Lands, Tenements, and Hereditaments, or of such Estate or Interest for which such Sum or Sums of Money shall be so awarded, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things, necessary and requisite to make a good, clear, and perfect Title to the said Mayor, and Commonalty, and Citizens; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and useful Covenants as shall on the Part of the said Mayor, and Commonalty, and Citizens, be required: And in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid shall not be able to evince their Title to the Premises, to the Satisfaction of the said Mayor, Aldermen, and Commons, in Common Council assembled, and to make, or procure to be made, good, valid and legal Conveyances thereof, to the said Mayor, and Commonalty, and Citizens; or shall refuse so to do, being thereto required; and such Sum or Sums so assessed and awarded as aforesaid, being produced and tendered to be paid to him, her, or them, on their making such Title, and executing, and procuring to be executed, such Conveyances, Assignments, or Assurances, as aforesaid; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found in the City or County where the Lands, Tenements, Hereditaments, and Premises, for which the said Sums shall be so assessed or awarded lie; or in case that, by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Mayor, Aldermen, and Commons, in Common Council assembled, what Person or Persons is or are intitled to the Premises in question; then, and in every such Case, as aforesaid, it shall and may be lawful to and for the said Court of Mayor and Aldermen to order the said Sum or Sums, so assessed and awarded as aforesaid, as the Value of and Purchase-money for the said Lands, Tenements, and Hereditaments, to be paid into the Bank of England, for the Use of the Parties interested in the said Premises; to be paid to them, and every of them, according to their respective Estates and Interest therein, at such Time as the said Court of Mayor and Aldermen shall order and direct; and the Cashier or Cashiers of the Bank of England, who shall receive such Sum or Sums, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what Premises,

Juries may be challenged.

Jury to inquire into the Value of the Lands, &c. in question.

Assignments, and Conveyances, to be given to the Mayor, &c.

If Persons cannot evince a clear Title to the Premises,

or cannot be found in the County where the Lands, &c. lie,

their Money to be put into the Bank.

Premises, and for whose Use, the same is or are received, to such Person as shall pay any such Sum or Sums into the Bank as aforesaid.

VII. And be it further enacted by the Authority aforesaid, That all such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings, of the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, and Juries, as relate to or concerning any Lands, Tenements, or Hereditaments, so to be purchased as aforesaid; and all Receipts which the said Cashier or Cashiers of the Bank shall give for any Sum or Sums of Money paid into the Bank, in consequence of any such Verdict and Judgment, shall be entered among the Records of the said Court of Mayor and Aldermen, or General Quarter Sessions of the Peace for the said County of *Middlesex*, or the said County of *Surrey*, as the Case shall happen to be; and the said Verdicts, Judgments, Sentences, Decrees, and Orders, and other Proceedings, shall be deemed and taken to be Records, to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have Recourse to the same gratis, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, Sixpence, and so proportionably for any greater or lesser Number of Words; and immediately after such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, and Juries, and of such Receipt or Receipts of the said Cashier or Cashiers, as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such Money shall be paid in, to, and out of the said Lands, Tenements, Hereditaments, and Premises, shall vest in the said Mayor, and Commonalty, and Citizens; and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payments were made, but also shall extend to, and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder, against the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as a Fine or Recovery would do, if levied or suffered by the proper Parties in due Form of Law.

Verdicts and Decrees of the Court of Aldermen, &c. to be entered among the Records of the said Court,

and to be deemed Evidence.

VIII. Provided always, That it shall and may be lawful for the said Court of Mayor and Aldermen, after such Payment into the Bank, and Entry of the Receipt aforesaid, at the Petition of any Person or Persons in Possession of such Lands, Tenements, or Hereditaments, to place out or invest, or to cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the publick Funds, or on Government Security, at Interest, in the Name or Names of any Person or Persons authorized and appointed by the said Court of Mayor and Aldermen for that Purpose, in Trust, to transfer and assign the same to such Person or Persons to whom the Premises belong, on their executing proper Conveyances thereof; and, in the mean time, in Trust, to pay the Interest and Dividends arising therefrom to such Person or Persons who was or were in Possession of the said Premises at the Time of the said Payment into the Bank.

Court of Aldermen may invest Sums in the Funds on Government Security.

IX. Provided always, and it is hereby enacted, That all and every Person or Persons, who would be intitled to recover the mesne Profits of the Premises, against the Person or Persons in Possession, in case the same had not been so conveyed to, or vested in, the said Mayor, and Commonalty, and Citizens as aforesaid, shall be intitled to recover the Sum or Sums to arise from such Interests and Dividends, as aforesaid, by Action of Debt, or otherwise, against the Person or Persons who shall receive the same; and the said Court of Mayor and Aldermen are hereby impowered and authorized to make such Order, as aforesaid, on the Bank, for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to the same being so invested in publick Securities; and the said Mayor, and Commonalty, and Citizens, shall be quieted in the Possession of the Lands, Tenements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity for the Money so deposited and placed out as aforesaid, any otherwise than according to the Purport and true Meaning of this Act.

Persons intitled to recover Interest by Action of Debt.

X. And be it further enacted, That in case any Feme-covert is or shall be seized in Fee-simple, or in Tail General or Special, of any such Lands, Tenements, or Hereditaments, so to be purchased, as aforesaid, by the said Mayor, and Commonalty, and Citizens, or of any Interest in the same, to her separate Use, free from the Controul or intermeddling of her Husband, the Purchase-money arising from the Sale of such Estate, or Interest of such Feme-covert, on the Conveyance of such Estate or Interest to the said Mayor, and Commonalty, and Citizens, shall be paid either to the Husband of such Feme-covert, at her Request, or to such Person or Persons as she shall, by Writing under her Hand, nominate to receive the same, in Trust, to be reinvested in Lands, Tenements, or Hereditaments, to be conveyed and settled for such Use, Estate, and Interest, as the said Feme-covert had in the Premises so purchased by the said Mayor, and Commonalty, and Citizens.

Feme-covert seized in Fee-simple, to have her Purchase-money paid to whom she shall nominate.

XI. And be it further enacted by the Authority aforesaid, That the principal Money arising from the Sale of any Lands, Tenements, and Hereditaments, which shall be purchased for any of the Purposes of this Act, of or from any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme-covert, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed then afterwards to be reinvested in the Purchase of other Lands, Tenements, or Hereditaments, to be conveyed and settled to, and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, and Hereditaments, which shall be purchased from them respectively by the said Mayor, and Commonalty, and Citizens, as aforesaid, were respectively settled, limited, or assured, at

Purchase-money of Lands to be paid to Persons whom the Owners appoint.

the Time of such purchasing of the same, or so many thereof as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect.

Bargains and Sales to have the Force of Law.

XII. And be it further enacted by the Authority aforesaid, That the Conveyance of any such Estate or Interest of any Feme-covert to the said Mayor, and Commonalty, and Citizens, or any Person or Persons in Trust for them, by Bargain and Sale acknowledged by such Feme-covert, and inrolled in the Court of Hustings of the said City, according to the Custom of the said City, within six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme-covert in the Premises, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or suffered thereof in due form of Law: And further, that all Bargains and Sales whatsoever, to be made of any such Lands, Tenements, and Hereditaments, as shall be purchased by the said Mayor, and Commonalty, and Citizens, by virtue of, and for any of the Purposes of this Act, shall have the Force, Effect, and Operation in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever, would have, if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seized of any Estate in the Premises, in Trust for, or to the Use of, such Bargainer or Bargainers, in any legal Manner of Form whatsoever.

Persons interested in Lands conveyed, to enter a Memorial of their Right within 5 Years,

XIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whomsoever, having any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of any Lands, Tenements, or Hereditaments, which, by virtue, and for any of the Purposes of this Act, shall be purchased by, and conveyed, or mentioned or intended to be conveyed to the said Mayor, and Commonalty, and Citizens, by any such Bargain and Sale, as aforesaid, shall, within the Space of five Years, to be computed from the Date of the Inrolment of such Bargain and Sale, enter a Memorial of such their Right, Title, Interest, Use, Property, Claim, and Demand, in a Book to be for that Purpose prepared and kept by the Town Clerk of the said City of *London*, or the Clerk of the Peace for the County respectively, which Book the said Town Clerk and Clerk of the Peace respectively are hereby required to prepare and keep accordingly, and for which Entry they shall be intitled to such Fee, and no other, as the Register of the County of *Middlesex* is by Law intitled to for the Registry of a Memorial, containing the same Number of Words; and all and every Person or Persons whomsoever, not entering such Right, Claim, and Demand, within such Time, and in such Manner, as aforesaid, or having so entered the same, and not prosecuting such their Right, Claim, or Demand with Effect, within the Space of five Years, to be computed from the Time of such Entry, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, and Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of the said Premises, and every Part thereof; and the said Mayor, and Commonalty, and Citizens, and those claiming by, from, or under them, shall be quieted in the Possession of all such Lands, Tenements, Hereditaments, and Premises, any Law, Statute, Usage, Matter, or Thing whatsoever, to the contrary notwithstanding.

In a Book to be prepared by the City Clerk;

or be for ever barred of all such Right.

Persons so barred may bring Actions of Debt, against the Receiver of their Purchase-money.

XIV. Provided nevertheless, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or Demand whatsoever, in, to, or out of the said Lands, Tenements, and Hereditaments, by virtue of this Act, shall be at Liberty to bring any Action or Actions of Debt, for Money had and received to his or their Use, against any Person or Persons, or the legal Representative of any Person or Persons, who received the Purchase-money arising from such Sale of the said Lands, Tenements, and Hereditaments, or Premises aforesaid; and that in every such Case, the Plaintiff or Plaintiffs, on Proof of such Title as would have enabled them to recover such Lands, Tenements, or Hereditaments, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase-money, or so much thereof as shall be equivalent to their Interest in the said Premises, together with such Interest as shall be equivalent to the mesne Profits of the Premises, which they would have been intitled to recover in case this Act had not been made.

Expences of Juries how to be defrayed.

XV. And be it further enacted by the Authority aforesaid, That in all Cases where any Verdict as aforesaid shall be given for a greater Sum than shall have been offered by or on the Behalf of the Mayor, and Commonalty, and Citizens, of the City of *London*, or in case no such Offer shall have been made before the summoning of any such Jury, that then all the Expences of summoning such Jury and the Witnesses, and of taking such Inquest, shall be paid by the Mayor, and Commonalty, and Citizens, of the City of *London*; but if any such Verdict shall be given for no more, or for a less Sum than shall have been so previously offered by or on the Behalf of the Mayor, and Commonalty, and Citizens, of the City of *London*, then and in every such Case, such Expences shall be defrayed by the Owners of, or the Persons interested in, such Locks, Ferries, Lands, Wharfs, Weirs, or other Property in question; and such Expences shall be deducted and taken out of the Monies to be assessed and adjudged, and such Deduction shall be deemed and taken as Payment of so much thereof.

Towing Paths not to be made without the Consent of Proprietors.

XVI. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to authorize and empower the said Mayor, and Commonalty, and Citizens, to compel or oblige the Owner or Proprietor of any Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or planted Avenue to any House, which have been respectively used as such six Calendar Months before the passing of this Act (except such where Towing-paths are now used), or the Owner or Proprietor of any Messuage or Tenement erected or built, or begun to be erected or built, six Calendar Months before the passing of this Act, to pull down, let, sell, or convey, such Messuage, Tenement, Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or Avenue, or any Part thereof, to the said Mayor, and Commonalty, and Citizens, or any other Person or Persons; nor shall any Thing in this Act contained empower the said Mayor, and Commonalty, and Citizens, to make any new Towing-path, Bank, Cut, Road, Bridge, Wharf, Lock, Weir, Buck, Winch, Spike, Dam, Floodgate, Pound, Turnpike, Toll-gate, or Engine,

over,

over, upon, or through any Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or planted Avenue to any House, without the Consent of the Owner or Proprietor thereof.

XVII. And be it further enacted by the Authority aforesaid, That the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, shall have Power, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of ten Pounds, on such Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents, respectively, making Default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury or Juries who shall not appear, or who shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being sworn shall refuse to give his, her, or their Evidence; also on any other Person or Persons who shall, in any other Manner, wilfully neglect his or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and, from Time to Time, to levy such Fine or Fines, by Order of the said Court of Mayor and Aldermen, or Justices, as aforesaid, respectively, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner; and all such Fines shall be applied to the Purposes of this Act

Fines on Sheriffs, Juries, and Witnesses, refusing to comply with this Act,

may be levied by Distress and Sale.

XVIII. Provided always, That in case any Place or Places in question, for which a Satisfaction for Damages or Recompence is to be made by virtue of this Act, shall lie partly in the City of London and partly in the County of Middlesex, such Satisfaction or Recompence shall be inquired of ascertained by a Jury of the City of London; and in case any such Place or Places shall lie partly in the County of Middlesex, and partly in the County of Surrey, the same shall be inquired of and ascertained by a Jury or Justices of the County of Middlesex.

Damages how to be ascertained

XIX. And be it further enacted by the Authority aforesaid, That the Mayor, Aldermen, and Commons, of the City of London, in Common Council assembled, shall have Power and Authority, and they are hereby authorised and empowered to assess and rate the Prices of the Carriage, and the Rates or Fares to be given for the Use of any Horse or Horses employed on the said Navigation, from the City of London to the City Stone above *Staines Bridge* aforesaid, and back from thence to the said City of London; and to and from any Place or Places upon the said River of *Thames*, between the City of London and the said City Stone, to any other Place or Places within the Limits aforesaid, in such Boats, Barges, and other Vessels; and shall give publick Notice in Writing, to be affixed up at the several Market Places, or Church Doors of such Towns and Parishes on the Banks of the said River of *Thames*, within the Limits aforesaid, as they shall think proper; and also to be printed and published in some of the publick News-papers, of which publick Notice the several Owners of Boats, Barges, and other Vessels, navigating on the said Rivers, as also all Persons who are employed in towing Barges, Boats, or other Vessels, or who let out Horses for that Purpose, are hereby required to take Notice, as also of the Rates and Prices so from Time to Time set and assessed, and of all other Rates, Fares, and Prices, which shall, at any Time or Times hereafter, at such respective Meetings as aforesaid, be rated and assessed by virtue of this Act: And if any Owner and Proprietor of any such Barge, Boat, or other Vessel, shall, at any Time after the Expiration of twenty Days next after the publishing of such Notice, take for the Water Carriage of any Goods or Merchandises above the Rates and Prices so set as aforesaid, or if any Person employed in the towing of Barges, or other Vessels, shall, after the Expiration of the said Term, take, for the Use of any Horse or Horses employed on the said Navigation, above the Rates or Fare so set and assessed as aforesaid, every Person so offending shall, for every such Offence, forfeit the Sum of twenty Pounds; which said Forfeiture shall and may be recovered in a summary Way, by Information or Complaint made to the said Mayor, or to any of the Aldermen of the City of London, or to any one of his Majesty's Justices of the Peace for the County of Middlesex or Surrey; and shall go and be applied, one Moiety to the Informer or Informers, and the other Moiety to the Party or Parties aggrieved by any such Offence, and shall and may be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of the said Mayor, or any one of the Aldermen or Justices of the Peace as aforesaid.

Prices of Carriage, and Rates of Horses employed in the Navigation,

to be affixed on publick Places on the Banks of the River, &c.

Boatmen or Bargemen taking more than the Rates set, to forfeit 20 l.

One Moiety to the Informer and the other to the Party aggrieved.

No Person to moor at *Taplow Mill Stream*,

XX. And whereas many Trespasses have been committed in the Gardens and Plantations of *Morough O'Bryen*, Esquire, of *Taplow-Court*, in the County of *Bucks*, by Persons belonging to Boats, Barges, Vessels, or Floats, which anchor, moor, fasten, or lie, in *Taplow Mill Stream*; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any Person or Persons whatsoever, upon any Pretence whatsoever, to anchor, moor, or fasten any Boat, Barge, Vessel, or Float, or to lay with any Boat, Barge, Vessel, or Float, in any Part of *Taplow Mill Stream*, between the Lock in the said Stream and a Meadow called *Clemash Meadow*: And in case any Boat, Barge, Vessel, or Float, shall be anchored, moored, or fastened, or shall be laid in any Part of *Taplow Mill Stream* aforesaid, between the Lock in the said Stream and the said Meadow called *Clemash Meadow*, the Master or Owner of any such Boat, Barge, Vessel, or Float, or the Person having the Care or Conduct of any such Boat, Barge, Vessel, or Float, shall, for every such Offence, forfeit and pay the Sum of five Pounds; to be levied and recovered by the same Ways and Means, and in such Manner, as any Penalty or Forfeiture inflicted for any Offence against the said former Act can or may be levied and recovered, and shall be applied, one Moiety to the Informer, and the other Moiety for the Purposes of the said Navigation.

on Penalty of 5 l.

XXI. Provided also, and be it further enacted by the Authority aforesaid, That in case any Person or Persons shall think him, her, or themselves, aggrieved by any Orders or Proceedings of any Justice or Justices of the Peace, which shall be made or had under this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace, at the next General Quarter Sessions of the Peace, to be holden for the said City of London, or the said County of Middlesex, or the said County of Surrey, as the Case may be: And the Justices, at such said General Quarter Sessions, are hereby required

Persons aggrieved, may appeal to the Quarter Sessions.

to hear and finally determine every such Appeal and Appeals, and shall award to the Party or Parties for whom such Appeal shall be determined, such Costs as to them in their Discretion shall seem reasonable; and shall raise and levy, by their Order or Warrants, such Costs as shall be awarded by Distress and Sale of the Goods and Chattels of any Person or Persons who shall be ordered to pay the same.

Proceedings not to be qualified for want of Form.

XXII. And be it further enacted by the Authority aforesaid, That no Order which shall be made by any Justice or Justices, by virtue of or under this Act, or any other Proceedings to be had, touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be qualified or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

Writings may be without Stamps.

XXIII. Provided also, and be it further enacted, That no Contract, Agreement, Assignment, Entry, Copy, or Proceeding, by this Act directed or authorized to be executed, made, or given, shall be charged or chargeable, or subject, or liable, to any Duty whatsoever.

Limitation of Actions.

XXIV. And be it enacted by the Authority aforesaid, That if any Action shall be brought, or Suit commenced, against any Person or Persons, for any Thing done in pursuance of this Act, or in relation to the Premises, or any of them; every such Action, or Suit, shall be laid or brought within six Calendar Months next after the Fact done, and shall be laid or brought in the City of *London*, or the County where the Matter shall arise, and not elsewhere; and the Defendant or Defendants, in such Action, may plead the General Issue, and give this Act, and the Special Matters, 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 have been so done, or if any such Action or Suit shall not be brought within the Time before limited, or shall be brought in any other City, County, or Place, than as aforesaid; then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the said Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have for Costs in other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

XXV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. XCII.

An Act for regulating and ascertaining the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom.

Most Gracious Sovereign,

Preamble.

WHEREAS some Provision is necessary for regulating and ascertaining, according to the established Standard of your Majesty's Mint, the Weights to be made use of in weighing the Gold and Silver Coin of this Realm, and it is highly expedient, for the Prevention of Frauds, that the Use of all other Weights, which are not just and true, according to the said Standard, should be disallowed; 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 it shall and may be lawful for the Warden, Master, and Comptroller, of his Majesty's Mint, with the Assistance of the King's Assay Master, and they are hereby authorized and required, without Delay, to make, or cause to be made, one Weight of the Piece of Gold Coin of this Realm commonly called a Guinea, and also one Weight of the Piece of Silver Coin of this Realm called a Shilling, according to the established Standard of his Majesty's Mint, and also other Weights, being Parts and Multiples of the said Guinea Weight and Shilling Weight respectively; which Weights, together with their Report of the Truth and Accuracy thereof, they are hereby required to transmit to the Clerk of his Majesty's Council in Waiting, in order to be laid before his Majesty in Council; and in case the said Weights shall be approved of and confirmed by his Majesty in Council, the same shall be reputed and accepted in Law to be the Standard Weights of the Gold and Silver Coin of this Realm respectively, and the same shall be lodged in the joint Custody of the Warden, Master, and Comptroller of his Majesty's Mint for the Time being.

Warden of the Mint, &c. to make Weights of a Guinea, a Shilling, and Multiples thereof; which they are to transmit to the Clerk of Council in Waiting; and the same, being confirmed by his Majesty, are to

II. And be it further enacted by the Authority aforesaid, That the said Warden, Master, and Comptroller of his Majesty's Mint, with the Assistance of his Majesty's Assay Master, shall make, or cause to be made, in like Manner, exact Duplicates, or Copies, of the said Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as aforesaid; and if any of the said Duplicates, or Copies, shall hereafter, by any Accident, be destroyed, lost, or impaired, the Warden, Master, and Comptroller, of his Majesty's Mint for the Time being, with the Assistance of the King's Assay Master, are hereby authorized and required, in like Manner, to make, or cause to be made, other exact Duplicates, or Copies, of such of the said Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as shall happen to be destroyed, lost, or impaired; all which Duplicates, or Copies, shall be laid before his Majesty, his Heirs and Successors, in his or their Privy Council, in Manner hereinbefore directed; and in case the same shall be approved of and confirmed by his Majesty, his Heirs and Successors, in his or their Privy Council, they shall then, by the said Master, Warden, and Comptroller, be delivered to and lodged in the Custody of an Officer, to be from Time to Time appointed by his Majesty,

Duplicates thereof to be made by the said Warden, &c.

jesty, his Heirs or Successors, for that Purpose, under his or their Sign Manual, during his or their Royal Pleasure, with a Salary not exceeding the yearly Sum of two hundred and fifty Pounds, to be issued and paid by the Warden of his Majesty's Mint, out of the Monies arising by the Coinage Duties.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Warden, Master, and Comptroller, of his Majesty's Mint, and they are hereby authorized and required, once, or oftener, in every Year, by Warrant under their Hands, to summon and require such Officer, to be appointed by his Majesty, to appear before them, and produce the said Duplicates, or Copies, of the said Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as aforesaid, and the same to examine and compare with the Standard Weights herem-before directed to be lodged in the Custody of the Warden, Master, and Comptroller, of his Majesty's Mint for the Time being.

Warden, &c. to compare the Duplicates yearly.

IV. And be it further enacted by the Authority aforesaid, That from and after the thirty-first Day of December, one thousand seven hundred and seventy-four, all Weights to be made use of for weighing the said Gold and Silver Coin, shall be regulated and ascertained by the Duplicates, or Copies, of the said Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof respectively, lodged in the Custody of the Officer before mentioned; and after having been tried and compared therewith, and found to be just and true, shall, in Testimony thereof, be marked by the said Officer with a Stamp or Mark, or Stamps or Marks, to be approved of by the Master of his Majesty's Mint; which Stamps or Marks the said Officer is hereby directed to provide: And, in order that the Impression or Impressions made thereby may be known to all his Majesty's Subjects, the said Officer is hereby also directed to publish a Description of the same, by Advertisement, in the *London Gazette*, three Times at least before the said thirty-first Day of December, one thousand seven hundred and seventy-four; and the said Officer is hereby required, upon Application made to him, at all seasonable Hours, to stamp or mark, in Manner aforesaid, all Weights to be used for weighing the said Gold and Silver Coin, which shall be brought to him for that Purpose, and which he shall find to be just and true, according to the said Duplicates, or Copies, of the Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof respectively, hereby directed to be lodged in his Custody, without Fee or Reward, and without wilful Delay: And from and after the said thirty-first Day of December, one thousand seven hundred and seventy-four, no other Weights but such as shall be just and true, according to the Weights with and by which they are hereby directed to be compared and ascertained, and shall be marked in Manner before mentioned, shall be reputed or accepted in Law to be true, or of any Effect for determining the Weight of the Gold or Silver Coin of this Realm.

After Dec. 31, 1774, all the Weights are to be stamped;

and described publicly.

No other Weights to be allowed in Law.

V. And it is hereby further enacted, That if any Person or Persons shall forge or counterfeit any Stamp or Mark, to resemble any Stamp or Mark provided or used in pursuance of this Act, or shall counterfeit or resemble the Impression of any such Stamp or Mark, as aforesaid, on any such Weight or Weights, as aforesaid; or shall utter, vend, or sell, any such Weight or Weights, with the Impression of such counterfeit Stamp or Mark thereupon, knowing the same to be counterfeited; or shall wilfully increase or diminish any such Weight, after it has been stamped or marked in Manner before directed; or shall make use of any such Weight in weighing the Gold and Silver Coin of this Realm, knowing the same to have been so increased or diminished; every such Person and Persons shall, for every such Offence, upon Conviction thereof, before any two of his Majesty's Justices of the Peace of the County, Division, or Place, where such Offence shall be committed, who are hereby authorized and directed to inquire into the same, forfeit and pay any Sum not exceeding the Sum of fifty Pounds, at the Discretion of the said Justices; one Moiety thereof to go to his Majesty, his Heirs and Successors, and the other Moiety to him that shall inform or sue for the same; and, on Default of Payment, it shall and may be lawful for such Justices of the Peace to commit every such Offender to the common Gaol, or House of Correction, for any Time not exceeding three Months.

Persons counterfeiting, or selling, forged Stamps,

shall forfeit 50l. or be committed for 3 Months.

VI. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to take away or abridge any Rights, Powers, Privileges, or Profits, granted by his late Majesty King James the First, by Letters Patent, in the twelfth Year of his Reign, to the Master, Wardens, and Commonalty of the Mystery of Founders in the City of London, and which they may lawfully claim or enjoy, with respect to the sizing and marking of all Manner of Brass Weights made or wrought within the said City of London, or within three Miles compass thereof, or which shall be sold, uttered, or kept for Sale within the said City of London, or three Miles Compass thereof.

Not to abridge the Letters Patent 22 Jac. I. to the Founders Company.

VII. Provided nevertheless, That the Weights herein-before directed to be made use of for weighing the Gold and Silver Coin of this Realm, after having been sized and marked according to the Directions of the said Charter, be carried to be ascertained and marked in Manner herein-before directed, by the Officer appointed by his Majesty for that Purpose, in pursuance of the Powers given by this Act.

After the Weights are sized and marked, they are to be ascertained in pursuance hereof.

C A P. XCIII.

An Act for rebuilding the Church of the Parish of *Lewisham*, in the County of *Kent*.

C A P. XCIV.

An Act for establishing a new Church or Chapel, erecting at *Texteth Park*, in the Parish of *Walton*, near *Liverpool*, in the County Palatine of *Lancaster*.

C A P. XCV.

An Act for rebuilding the Parish Church of *Battersea*, in the County of *Surrey*, and for enlarging the Church-yard of the said Parish Church.

C A P. XCVI.

An Act to amend an Act, passed in the tenth and eleventh Years of the Reign of King *William the Third*, intituled, *An Act for the making and keeping navigable the Rivers of Aire and Calder, in the County of York*; and for improving the Navigation of the said River *Aire*, from *Weeland* to the River *Ouze*; and for making a navigable Canal from the said River *Aire*, at or near *Haddlesey*, to the River *Ouze*, at the *Old Brick Garth* at *Ouze Gate End*, within the Township of *Selby*, in the said County; and for other Purposes.

T H E

Statutes at Large,

Anno decimo quarto GEORGII III. Regis,

Being the SEVENTH Session of the

THIRTEENTH Parliament of GREAT BRITAIN.

A

T A B L E

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the fourteenth Year of the Reign of
GEORGE III.

PUBLIC ACTS.

Anno 14 Georgii III.

1. **A**N 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 seventy-four.
2. 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 seventy-four.
3. An ACT for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
4. An ACT for the Regulation of his Majesty's Marine Forces while on Shore.
5. An ACT to allow the Exportation of Corn, Grain, and other Articles, to his Majesty's Sugar Colonies in *America*; and to extend the Provisions of an ACT made in the last Session of Parliament (intituled, *An ACT to regulate the Importation and Exportation of Corn*), allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Islands of *Guernsey* and *Jersey*, to Bread, Biscuit, and Pease; and to allow the Exportation of all the said Articles to the Island of *Alderney*.
6. An ACT for further continuing two ACTS, made in the sixth and ninth Years of his Majesty's Reign, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, in his Majesty's Dominions in *America*.
7. An ACT for better paving, cleansing, and lighting, the Streets, Lanes, and Publick Passages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuisances and Annoyances therein.
8. An ACT to explain and amend two ACTS, made in the tenth and twelfth Years of his present Majesty's Reign, for paving, lighting, and watching, the Town of *Plymouth*, in the County of *Devon*; and for regulating the Carmen and Porters within the said Town.
9. An ACT to continue for a further Time an ACT, made in the eighth Year of his present Majesty's Reign, intituled, *An ACT to continue and amend an ACT, made in the fifth Year of the Reign of his present Majesty, intituled, An ACT for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time.*
10. An ACT for reducing the Duty payable upon the Exportation of *Gum Senega*, granted by an ACT, made in the fifth Year of the Reign of his present Majesty (intituled, *An ACT for laying certain Duties upon Gum Senega and Gum Arabic, imported into or exported from Great Britain, and for confining the Exportation of Gum Senega from Africa to Great Britain only*).
11. An ACT to allow the Exportation of a limited Quantity of Biscuit and Pease to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there.
12. An ACT for vesting a Piece of Waste Ground within, and Parcel of, the Manor of *Clapham*, in the County of *Surrey*, in Trustees, and for enabling them to build a new Parish Church thereon.
13. An ACT for enabling Sir *John Ramsden*, Baronet, to make and maintain a navigable Canal, from the River *Calder* (between a Bridge called *Cosper's Bridge* and the Mouth of the River *Colne*) to *The King's Mill*, near the Town of *Huddersfield*, in the West Riding of the County of *York*.
14. An ACT to repeal a Clause in an ACT, made in the thirteenth Year of his present Majesty's Reign, 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*; which regulates the Width of the Wheels, and the Length of Carriages liable to be weighed; and for indemnifying Persons who have offended against the said Clause.
15. An

The TITLES of the STATUTES.

15. An Act for making perpetual two Acts, passed in the tenth and eleventh Years of the Reign of his present Majesty, for regulating the Trials of controverted Elections, or Returns of Members to serve in Parliament.
16. An Act for amending and rendering more effectual an Act, made in the thirtieth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of March and Wimblington, and in the Parish of Upwell, in the Isle of Ely, and County of Cambridge*), so far as the same relates to the several Fen Lands and Low Grounds lying in the sixth District, in the said Act described.
17. An Act for appointing Commissioners to put in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-four*, together with those named in two former Acts for appointing Commissioners of the Land Tax.
18. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of Great Britain called *England*, for one Year, beginning the twenty fifth Day of *March*, one thousand seven hundred and seventy-four.
19. An Act to discontinue, in such Manner, and for such Time, as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town, and within the Harbour, of *Boston*, in the Province of *Massachusetts Bay*, in *North America*.
20. An Act for the Relief of Prisoners charged with Felony, or other Crimes, who shall be acquitted or discharged by Proclamation, respecting the Payment of Fees to Gaolers, and giving a Recompence for such Fees out of the County Rates.
21. An Act for more effectually carrying into Execution certain Proposals, made by the most Noble *Henry Duke of Buccleugh*, the most Noble *Charles Duke of Queensberry* and *Dover*, and others, for redeeming the Annuities granted by the Company of the Bank of *Ayr*, in that Part of Great Britain called *Scotland*, known under the Firm of *Douglas, Heron, and Company*.
22. An Act to enable his Majesty to grant unto Major General *Simon Fraser* the Lands and Estate of the late *Simon Lord Lovat*, upon certain Terms and Conditions.
23. An Act for amending and rendering more effectual several Acts of Parliament of the sixteenth and seventeenth, and twenty-second Years of King *Charles* the Second, and of the eleventh Year of his late Majesty, for draining and preserving certain Lands called *Deeping Fens*, in the County of *Lincoln*.
24. An Act for paving, repairing, lighting, and watching, the Streets, and other publick Passages and Places within that Part of the Parish of *Clerkenwell* called *Saint James's*, and removing Obstructions and Annoyances therein; for widening the Passage from *Clerkenwell Green* to the Parish Church; and for watching and lighting certain Highways within the said Parish.
25. An Act for the more effectual preventing Frauds, and Embezzlements, by Persons employed in the Woollen Manufactory.
26. An Act to allow the Exportation of a limited Quantity of Wheat-meal or Flour, Oats, Oatmeal, Groats, Barley, Pease, Beans, Malt, and Biscuit, to *Hudson's Bay*, in *North America*, for the Benefit of the *Hudson's Bay Company*, and their Servants residing there.
27. An Act for fixing and regulating a public Market and Shambles for the Sale of Meat within the Town and Borough of *Swansea*, in the County of *Glamorgan*.
28. An Act to continue an Act, made in the twenty-second Year of the Reign of his late Majesty King *George* the Second, for 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 *Kingsbarn*, and Liberties thereof.
29. An Act for the better Relief and Employment of the Poor within the Parish of *Saint Leonard, Shoreditch*, in the County of *Middlesex*; and for building a Workhouse, and for purchasing a Piece of Land for a Burial Ground, for the Use of the said Parish.
30. An Act for providing a Workhouse, and for better governing, regulating, and maintaining the Poor, within the *Old Artillery Ground*, in the Liberty of the *Tower of London*; and for paving, cleansing, lighting, and watching, the Streets, Lanes, and other open Passages and Places within the same; and for preventing Obstructions and Annoyances therein.
31. An Act for repairing the Highways and Bridges in the County of *Fife*.
32. An Act to enable the Governor and Company of the Bank of *Scotland* to increase the Capital Stock of the said Company.
33. An Act for dividing and inclosing the open Fields, Meadows, stinted common Pastures, and other common and waste Lands and Grounds, in the Parish of *Tetney*, in the County of *Lincoln*; and for draining and improving Part of the said Parish.
34. An Act for granting further Time to the United Company of Merchants of *England*, trading to the *East Indies*, to expose to Sale the Single and Bohea Teas remaining in their Warehouses unsold, on the fifth Day of *April*, one thousand seven hundred and seventy-four; and for allowing the Drawbacks on the Exportation of such Teas.
35. An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to compound certain Debts due to his Majesty, and affecting the Estates heretofore of *Charles Mason* Esquire, deceased, in the Counties of *Montgomery* and *Salop*; and, upon Payment of such Composition, to discharge and exonerate the said Estates therefrom.
36. An Act to explain and amend an Act, made in the thirteenth Year of his present Majesty's Reign, 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*; so far as the same relates to the continuing and granting an additional Term of five Years to Acts made for amending Turnpike Roads.
37. An Act for allowing further Time for Inrolment or Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
38. An Act for paving, repairing, cleansing, and lighting, the Streets and Lanes in the City of *Hereford*, and Suburbs thereof, and removing Nuisances and Annoyances therein, and for creating a Fund towards the Expences thereof, by inclosing divers waste Grounds within the Liberties of the said City, and for the better Application of Charity-money for setting the poor People of the said City to work, and to enable Bodies Corporate to alienate their Houses and Lands within the said City.
39. An Act for the impartial Administration of Justice in the Cases of Persons questioned for any Acts done by them in the Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of *Massachusetts Bay*, in *New England*.
40. An

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40. An Act for divesting out of the Crown the Plantation and Estate of *Ulysses Fitzmaurice* Esquire, deceased, and for vesting the same in Trustees, to be sold for Payment of his Debts, and for other Purposes therein mentioned.
41. An Act for further continuing so much of two Acts, made in the sixth and thirteenth Years of the Reign of his present Majesty, as relates to the opening and establishing certain free Ports in the Island of *Jamaica*.
42. An Act to prohibit the Importation of light Silver Coin of this Realm, from foreign Countries, into *Great Britain* or *Ireland*; and to restrain the Tender thereof beyond a certain Sum.
43. An Act for rebuilding the Offices of the Six Clerks of the King's Court of Chancery; and for erecting the Offices for the Register and Accountant General of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices.
44. An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hat Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages.*
45. An Act for the better regulating the Government of the Province of the *Massachusetts's Bay*, in *New England*.
46. An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to pay, out of the Revenue of the Crown, certain Rewards for apprehending Highwaymen, and other Offenders in the County Palatine of *Durham*.
47. An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.
48. An Act for regulating Insurances upon Lives, and for prohibiting all such Insurances, except in Cases where the Persons insuring shall have an Interest in the Life or Death of the Persons insured.
49. An Act for regulating Madhouses.
50. An Act to enable certain Persons, during the Minority of Sir *John Saint Aubyn* Baronet, to renew and grant Leases of Lands, and to sell other Lands, all at *Plymouth Dock*, in the County of *Devon*, for the Use of his Majesty, his Heirs and Successors.
51. An Act to confirm certain Sales and Purchases of Estates, made by the Governors of the free Grammar School of King *Edward* the Sixth, in *Macclesfield*, in the County of *Cheshire*; to enable them to make other Sales, Purchases, and Exchanges; and to improve and extend the Benefits of the Foundation of the said School.
52. An Act to enable the Inhabitants of *Grosvenor Square*, in the County of *Middlesex*, to pave, cleanse, light, water, and embellish the said Square; and for other Purposes therein mentioned.
53. An Act for making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Hundred of *Stratton*, in the County of *Cornwall*, to the River *Tamer*, in the Parish of *Calstock*, in the said County.
54. An Act for the better providing suitable Quarters for Officers and Soldiers in his Majesty's Service in *North America*.
55. An Act for making commodious Ways and Passages within the Parish of *Saint Stephen*, in the City of *Bristol*; and for enlarging the Burying Ground belonging to the said Parish.
56. An Act for making and establishing publick Quays or Wharfs at *Kingston upon Hull*, for the better securing his Majesty's Revenues of Customs, and for the Benefit of Commerce in the Port of *Kingston upon Hull*; for making a Basin or Dock, with Reservoirs, Sluices, Roads, and other Works, for the Accommodation of Vessels using the said Port; and for appropriating certain Lands belonging to his Majesty, and for applying certain Sums of Money out of his Majesty's Customs at the said Port for those Purposes; and for establishing other necessary Regulations within the Town and Port of *Kingston upon Hull*.
57. An Act to repeal so much of an Act, made in the last Session of Parliament, for reducing into one Act the general Laws relating to Turnpike Roads, as exempts Persons from the Payment of Tolls at Side Gates erected at Places specified in any Act of Parliament.
58. An Act for repealing an Act, made in the first Year of the Reign of King *Henry* the Fifth; and so much of several Acts of the eighth, tenth, and twenty-third Years of King *Henry* the Sixth, as relates to the Residence of Persons to be elected Members to serve in Parliament, or of the Persons by whom they are to be chosen.
59. An Act for preserving the Health of Prisoners in Gaol, and preventing the Gaol Distemper.
60. An Act for indemnifying the Innkeepers and Victuallers within the Hundred of *Godley*, in the County of *Surrey*, against the Penalties to which they are or may be liable, for selling Ale, Beer, Wine, or Spirituous Liquors, without proper Licences, upon certain Conditions.
61. An Act to explain and amend two several Acts of Parliament, for erecting Hospitals and Workhouses within the City and County of the City of *Exon*, for the better employing and maintaining the Poor there; and to raise further Sums of Money for the more effectually carrying the Purposes of the said Acts into Execution.
62. An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Parishes of *Saint Giles in the Fields*, and *Saint George Bloomsbury*, in the County of *Middlesex*.
63. An Act for building a Bridge cross the River *Sir*, at *Carlton*, in the West Riding of the County of *York*.
64. An Act to explain so much of an Act, made in the last Session of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), as relates to the Method of ascertaining the Prices of Corn and Grain exported.
65. An Act to alter and amend an Act, passed in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for annexing certain forfeited Estates in Scotland to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of Scotland, and preventing Disorders there for the future*; so far as the same relates to the granting Leases of the said Estates.
66. An Act for the Repeal of all former Acts concerning the Longitude at Sea, except so much thereof as relates

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- to the Appointment and Authority of the Commissioners thereby constituted, and also such Clauses as relate to the constructing, printing, publishing, vending, and licensing, of Nautical Almanacks, and other useful Tables; and for the more effectual Encouragement and Reward of such Person and Persons as shall discover a Method for finding the same, or shall make useful Discoveries in Navigation; and for the better making Experiments relating thereto.
67. An Act to continue the several Laws therein mentioned, for granting Liberty to carry Rice from his Majesty's Provinces of *Carolina* and *Georgia*, in *America*, directly to any Part of *Europe*, Southward of *Cape Finisterre*; for granting the like Liberty to export Rice from *South Carolina* and *Georgia* directly, to any Part of *America*, to the Southward of the said Provinces; for granting the like Liberty in the Exportation of Rice from *East* and *West Florida*, and from any Part of *America*, Southward of *South Carolina* and *Georgia*.
68. An Act to prevent Frauds in the buying and selling of Hops.
69. An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-four.
70. An Act for applying a certain Sum of Money, for calling in, and recoinng, the deficient Gold Coin of this Kealm; and for regulating the Manner of receiving the same at the Bank of *England*; and of taking, there, an Account of the Deficiency of the said Coin, and making Satisfaction for the same; and for authorising all Persons to cut and deface all Gold Coin, that shall not be allowed to be current by his Majesty's Proclamation.
71. An Act to prevent the Exportation to foreign Parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom.
72. An Act for ascertaining the Duty on printed, painted, stained, or dyed Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, and for allowing the Use and Wear thereof, under certain Regulations.
73. An Act to extend so much of an Act, passed in the twelfth Year of the Reign of his present Majesty, as relates to Distillers or Makers of Low Wines and Spirits from Corn, to every Kind of Distiller; and for the more effectual securing the Revenue of Excise arising from Low Wines and Spirits; and for ascertaining the Allowance to be made to the Manufacturers of Wool and Linen, in respect of the Duties on Soap imported and used in the Woollen and Linen Manufactures.
74. An Act for reducing the Rates and Duties payable upon the Importation of great Raisins.
75. An Act for enlarging the present, or providing a new Workhouse, for the Use of the Parish of *Saint Saviour Southwark*, and for regulating the Poor in such Workhouse; for widening *King Street*, at the Entrance into the *High Street, Southwark*, for making a Carriage Way from the said *High Street*, through the *Greyhound Inn*, into *Queen Street*, and for improving the Passage from thence into *Gravel Lane*, leading towards the *Black Friars Bridge Road*, in the Parish of *Christ Church*.
76. An Act for redeeming the Sum of one million of the capital Stocks of three Pounds *per Centum* Annuities, in the Manner, and on the Terms, therein mentioned; and for establishing a Lottery.
77. An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.
78. An Act for the further and better Regulation of Buildings, and Party-walls; and for the more effectually preventing Mischiefs by Fire within the Cities of *London* and *Westminster*, and the Liberties thereof, and other the Parishes, Precincts, and Places, within the Weekly
- Bills of Mortality, the Parishes of *Saint Mary-le-bon, Paddington, Saint Pancras, and Saint Luke at Chelsea*, in the County of *Middlesex*; and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid contrary to Law.
79. An Act for explaining an Act, made in the twelfth Year of the Reign of Queen *Anne*, intituled, *An Act to reduce the Rate of Interest, without any Prejudice to Parliamentary Securities*.
80. An Act to continue the several Laws therein mentioned, for the better Encouragement of the making of Sail Cloth in *Great Britain*; and for securing the Duties upon foreign-made Sail Cloth, and charging foreign-made Sails with a Duty.
81. An Act for altering and amending an Act, made in the sixteenth Year of his late Majesty's Reign, intituled, *An Act to explain and amend the Laws touching the Election of Members to serve for the Commons in Parliament for that Part of Great Britain called Scotland; and to restrain the Partiality, and regulate the Conduct, of returning Officers at such Elections*, by altering the Time of Notice, ordered by the said Act to be given, in the Service of Complaints to the Court of Session, of Wrongs done in Elections, and by regulating the Manner, and settling the Place, of Election of a Burgess to serve in Parliament for a District of Boroughs in *Scotland*, when the Election of the Magistrates and Council of a Borough, which ought in course to be the presiding Borough at an Election, happens to be reduced, and made void, by a Decree of the Court of Session, and not revived by the Crown, when such Election is made.
82. An Act for explaining and altering an Act, made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating of Turnpike Roads in that Part of Great Britain called England; and for other Purposes*; so far as the same relates to the Payment of additional Tolls at Weighing Engines, and the Number of Horses to be used in Carriages drawn on Turnpike Roads; and for allowing certain Exemptions with respect to Weight and Payment of Toll in particular Cases.
83. An Act for making more effectual Provision for the Government of the Province of *Quebec*, in *North America*.
84. An Act to prevent certain Inconveniencies that may happen by Bills of Naturalization.
85. An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-four; and for further appropriating the Supplies granted in this Session of Parliament, for carrying to the Aggregate Fund a Sum of Money which hath arisen by the Two Sevenths Excise; and for enabling the Barons of the Exchequer in *Scotland* to make out a Certificate for the Payment of the Sum of five hundred Pounds to Lady *Anne Mackenzie*, out of the Balance remaining of the Sum of seventy-two thousand Pounds, granted for paying the Creditors of the forfeited Estates in *Scotland*.
86. An Act to continue several Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the clandestine running of uncustomed Goods, and preventing Frauds relating to the Customs; to the Encouragement of the Silk Manufactures, and for taking off several Duties on Merchandise exported, and reducing other Duties; to prevent the clandestine running of Goods, and the

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- the Danger of Infection thereby; to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majesty's Plantations in *America*; to the free Importation of Cochineal and Indico; to the prohibiting the Importation of Books reprinted abroad, and first composed, written, and printed in *Great Britain*; to the Bounty on the Exportation of *British-made* Cordage; to the free Importation of certain raw Hides and Skins from *Ireland*, and the *British* Plantations in *America*; to the regulating the Fees of Officers of the Customs, and Naval Officers in *America*; to the preventing the spreading of the contagious Disorder among the Horned Cattle in *Great Britain*; and to extend the Provisions of an Act of the twelfth Year of the Reign of King *George* the First, for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties, so far as relates to the commencing Prosecutions for Penalties against the Revenue of Customs to subsequent Acts.
87. An Act to prevent the Mischiefs that arise from driving Cattle within the Cities of *London* and *Westminster*, and Liberties thereof, and the Bills of Mortality.
88. An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of *Quebec*, in *America*.
89. An Act to enable his Majesty to allow the Administrator, with the Will annexed, or other the personal Representative, of Sir *Joseph Jekyll* Knight, deceased, to sell ten thousand Pounds *South Sea* Stock, Part of a Legacy given by him to the Use of the Sinking Fund, and to receive the Dividends due thereon, as also on ten thousand Pounds *East India* Stock; and for applying the same as therein is mentioned.
90. An Act for the better Regulation of the Nightly Watch and Beadles within the City and Liberty of *Westminster*, and Parts adjacent; and for other Purposes therein mentioned.
91. An Act more effectually to improve and complete the Navigation of the River *Thames*, westward of *London Bridge*, within the Liberties of the City of *London*, and to prevent any Vessel or Barge from being moored in *Taplow Mill Stream*, in the County of *Bucks*.
92. An Act for regulating and ascertaining the Weights to be made Use of in weighing the Gold and Silver Coin in this Kingdom.
93. An Act for rebuilding the Church of the Parish of *Lewisham*, in the County of *Kent*.
94. An Act for establishing a new Church or Chapel erecting at *Toxeth Park*, in the Parish of *Walton*, near *Liverpool*, in the County Palatine of *Lancaster*.
95. An Act for rebuilding the Parish Church of *Battersea*, in the County of *Surrey*, and for enlarging the Churchyard of the said Parish Church.
96. An Act to amend an Act, passed in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act for the making and keeping navigable the Rivers of Aire and Calder, in the County of York*; and for improving the Navigation of the said River *Aire*, from *Weeland* to the River *Ouze*; and for making a navigable Canal from the said River *Aire*, at or near *Haddesley*, to the River *Ouze*, at the *Old Brick Garth* at *Ouze Gate End*, within the Township of *Elby*, in the said County; and for other Purposes.
97. An Act to continue, amend, and render more effectual an Act, made in the sixth Year of the Reign of his present Majesty, for repairing the Road from the Turnpike at *Tunbridge Wells*, in the County of *Kent*, to *Ringles Cross*, near *Uckfield*, in the County of *Sussex*.
98. An Act to enlarge the Term and Powers of an Act, made in the thirty-second Year of his late Majesty, for repairing and widening the High Road from *Wetherby* to *Grassington*, in the County of *York*.
99. An Act for enlarging the Term and Powers of an Act, made in the twenty-eighth Year of his late Majesty, for repairing and widening the Roads from the Town of *Manchester* to the Town of *Rochdale*, and from a Place called *The White Smithy*, in the Township of *Crumplal*, to the Town of *Bury*, and from a Place called *Besses* of the Barn to *Ratcliffe Bridge*, in the County Palatine of *Lancaster*; and for empowering the Trustees under the said Act to repair a Lane called *Sheepfoot Lane*, in the said County.
100. An Act for enlarging the Term and Powers of an Act, passed in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, for repairing and widening the Roads from *Henshall's Smithy*, upon *Cranage Green*, through the Town of *Nether Knutsford*, and by the South Guide Post in *Mere*, and *Bucklow Hill*, to the Town of *Atrincham*, in the County Palatine of *Chester*; and from the said Guide Post to *Warrington*, in the County of *Lancaster*; and from *Bucklow Hill* aforesaid, to *Penny's Lane*, near *Narbitwich*, in the said County of *Chester*.
101. An Act for repairing and widening several Roads near the Towns of *Hockerton*, *Kirklington*, *Southwell*, *Normanton*, and *Winkbourne*, in the County of *Nottingham*.
102. An Act to enlarge the Terms and Powers of two Acts, made in the twenty-sixth and twenty-seventh Years of the Reign of his late Majesty King *George* the Second, for repairing several Roads leading into the City of *Glasgow*, so far as the same relate to the Road leading from the said City of *Glasgow*, through *Cowcaddens*, to that Part of the Water of *Kelvine*, called *The Milnsford of Garcube*.
103. An Act for explaining and amending an Act, made in the thirty-second Year of his late Majesty, for improving the Navigation of the River *Clyde*, to the City of *Glasgow*; and for building a Bridge cross the said River, from the said City to the Village of *Gorbells*; and Part of another Act, made in the eighth Year of his present Majesty, for explaining and amending the said Act; and for repairing, widening, and enlarging, the old Bridge across the River of *Clyde*, from the City of *Glasgow* to the Village of *Gorbells*.
104. An Act to enlarge the Term and Powers of an Act, made in the twenty-eighth Year of the Reign of King *George* the Second, for repairing and widening the Road from *Basingstoke*, through *Wortin*, *Overton*, *Whitchurch*, *Husband Priors*, *Andover*, and *Middle-Wallop*, in the County of *Southampton*, to a Place called *Lobcomb Corner*, in the Parish of *Winterstow*, in the County of *Wilts*, for including the Road from *Spittle House*, over *Weybill*, to *Mullens Pond*, as directed by an Act, made in the twenty-ninth Year of his said Majesty; and for amending the Roads from *Andover*, through *Charlton*, towards *Tangley*, and from *Charlton* to *Clanfield Bottom*, and from *Weybill* to *Sarson Street*, and also the Road through the said Town of *Basingstoke*.
105. An Act to continue the Terms of two Acts, made in the twenty-sixth and twenty-seventh Years of the Reign of his late Majesty King *George* the Second, for repairing several Roads leading into the City of *Glasgow*, so far as the same relate to the Roads from the City of *Glasgow*, to *Yocker Bridge*, to *Renfrew Bridge*, to the *Three Mile House*, to the Town of *Airdrie*, and from the Village of *Gorbells* to *The Chapel of Cambuslang*, in the Counties of *Lanark* and *Renfrew*.
106. An Act for recovering, improving, and maintaining, the Navigation of the Haven of *Hedon*, in *Holderness*, in the East Riding of the County of *York*.
107. An Act for draining and preserving the Low Grounds and Carrs, within the Parishes, Townships, and Places of

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- of *Winestead, Pattrington, South Frodingham, Hollym, Rimswell, Owtborne* otherwise *Seathorne, Withernsea, Inghland Hill, and Walker Fields*, in *Holdernefs*, in the East Riding of the County of *York*.
108. An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Parishes of *Saint Giles in the Fields*, and *Saint George Bloomsbury*, in the County of *Middlesex*.
109. An Act to enlarge the Term of an Act, made in the seventh Year of the Reign of his present Majesty, for repairing and widening several Roads, leading from the Town of *Ayr*, and other Roads therein mentioned, in the County of *Ayr*; and for repairing and widening certain other Roads within the said County of *Ayr*.
110. An Act to enlarge the Term and Powers of an Act, passed in the thirty-third Year of the Reign of his late Majesty King *George the Second*, for repairing and widening the *High Roads* from *Hinckley* to *Woeful Bridge*; and also from *Hoo-ash Lane*, through *Old Lane*, and from *Swannington* to *Lee Gutter*, and from thence to *Melbourne Common*; and from *Ibstock* to *Meafham*, in the Counties of *Leicester* and *Derby*; and for repairing and widening the Road from *Phiney's House*, in the Liberty of *Osbaston*, to *Chefire's House*, in the Liberty of *Carlton*, and also the Road from the Turnpike Road at *Swannington*, along *Burton's Lane*, to the *Coal Fields*; and also the Road from the Toll-gate in *Old Lane* to the *Leicester* and *Abby-de-la-zouch* Turnpike Roads.
111. An Act to enlarge the Term and Powers of so much of an Act of Parliament, made and passed in the twenty-ninth Year of the Reign of his late Majesty King *George the Second*, for repairing and widening several Roads therein mentioned, from the Town of *Tewkesbury*, in the County of *Gloucester*, as relates to the Second District of Roads therein mentioned; and to amend the Road from *Elstone Church* to the Turnpike Road from *Cirencester* to *Gloucester*, near a Place called *Comb End Beeches*, in the said County of *Gloucester*.
112. An Act for continuing, altering, and amending an Act, made and passed in the twenty-sixth Year of his late Majesty King *George the Second*, intituled, *An Act for repairing and widening several Roads leading from the Town of Bewdly*, in the County of *Worcester*, to the several Places therein mentioned, in the Counties of *Worcester* and *Salop* respectively.
113. An Act for enlarging the Term and Powers of an Act, made in the twenty-seventh Year of King *George the Second*, for repairing and widening the Road from the Borough of *Leicester* to and by the North Side of the Town of *Uppingham*, in the County of *Rutland*, and to *Wansford*, in the County of *Northampton*; and from thence to *Peterborough*, in the said County of *Northampton*; and for repairing the Road from the Termination of the said Road at *Peterborough* to the Market Place there.
114. An Act for enlarging the Term and Powers of so much of an Act, made in the fourth Year of the Reign of his present Majesty, as relates to the Road from the Town of *Rotherham*, in the County of *York*, to the Turnpike Road at the East End of *Tankersley Park*, in the said County.
115. An Act to enlarge the Term and Powers of an Act, made in the twenty-second Year of his late Majesty King *George the Second*, for repairing the Road from *North Shields*, in the County of *Northumberland*, to the Town of *Newcastle upon Tyne*.
116. An Act for empowering the Trustees for repairing the Road from the Stone's End in *Saint Leonard Shoreditch*, to the furthest Part of the Northern Road, in the Parish of *Enfield*, in the County of *Middlesex*, to cause Part of the said Road to be lighted, watched, and watered; and for lighting, watching, and watering the Parish of *Saint Mary Stoke Newington*, in the said County.
117. An Act to enlarge the Term and Powers of an Act, passed in the ninth Year of his present Majesty, for repairing and widening the Road from *Beverley* to the Ferry at *Hesle*, and from the *Malton* Guide-post to the Gravel Pit at *Cottingham*, in the County of *York*; and for repairing and widening other Roads therein mentioned.
118. An Act for continuing the Term and enlarging the Powers granted by an Act, passed in the twenty-eighth Year of his late Majesty's Reign, for repairing the Road from the North End of *Brown's Lane*, in Great *Stoughton*, in the County of *Huntingdon*, through *Kimbolton* and *Higham Ferrers*, to the Way-post near *Wellingborough Bridge*, in the County of *Northampton*, and from the Pound in *Kimbolton* to the Way-post in Great *Catworth Field*, near *Brington Bridge*, in the said County of *Huntingdon*; and for repealing so much of an Act of the tenth Year of his present Majesty's Reign, as relates to the Road between the North End of *Brown's Lane*, and the South End thereof.

PRIVATE ACTS.

Anno 14 Georgii III.

1. AN Act for dividing and inclosing the open Fields, common Pastures, and other uninclosed Grounds, within the Manor and Township of *Swinton*, in the Parish of *Appleton in the Street*, in the North Riding of the County of *York*.
2. An Act for dividing and inclosing the open and commonable Fields, within the Parish of *Duddington*, in the County of *Northampton*.
3. An Act for dividing and inclosing the common and open Fields, Wastes, and common Grounds, within the Township and Liberty of *Ibstock*, in the County of *Leicester*.
4. An Act for dividing and inclosing the common Meadows, Commons, and waste Lands, within the Manor and Parish of *Severn Stoke*, in the County of *Worcester*.
5. An Act for dividing and inclosing the open and common Fields and Downs, within the Parish of *Abbot's Ann*, in the County of *Southampton*.
6. An Act for dividing and inclosing several common Fields, Grounds, and Pastures, within the Parish of *Owmy*, in the County of *Lincoln*.
7. An Act for dividing and inclosing the open Field Land, or stinted Pasture, common, and waste Grounds, within the Manor of *Butterton*, in the Parish of *Mayfield*, in the County of *Stafford*.
8. An Act for dividing and inclosing the open and common Fields, lot Grounds, and commonable Lands, within the Parish of *Staunton*, in the County of *Gloucester*.
9. An Act for dividing and inclosing certain open Arable Fields, Meadows, and stinted common Pastures, in the Parish of *West Retford*, in the County of *Nottingham*.
10. An Act to enable *Thomas Purnell Jones* Esquire, and his Issue, to take and use the Surname and Arms of *Purnell*.
11. An Act for naturalizing *Samuel Rapillard* and *Abraham Delapierre*.
12. An Act for naturalizing *Louis de Sauvaize*.
13. An Act for naturalizing *Peter Van Yzendoorn*.
14. An Act for naturalizing *Theodore George Gleichman*.
15. An Act for naturalizing *George Christopher Degen*.
16. An Act to enable Trustees, with the Consent of the Persons claiming under the Will of *Mary Price* Spinster, deceased, to cut down and sell the Timber upon the settled Estates of the said *Mary Price*, in the County of *American*;

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- Merioneth*; and to invest the Monies arising therefrom in the Purchase of Lands and Hereditaments, to be settled to the Uses of the said Will; and for other Purposes.
17. An Act for vesting certain Estates in the County of *Devon*, late of *Thomas Benson* Esquire, deceased, in Trustees, to be sold, to raise Money, to be applied under the Direction of the Court of Exchequer, in Payment of certain Legacies affecting the same Estates.
 18. An Act for vesting the Estate late of *William Watts* Esquire, called *South Hill*, or *Fisher's Lodge*, in the County of *Berks*, in Trustees, to sell the same; and to lay out the Money arising by such Sale in the Purchase of another Estate, to be settled to the Uses of his Will.
 19. An Act for dividing and inclosing the Common Fields, Half-year Lands, common Pastures, common Meadows, Lammas Meadows, Commons, commonable Lands, Heaths, and waste Grounds, within the Parish of *Tottington*, in the County of *Norfolk*.
 20. An Act for dividing, allotting, and inclosing, the open and common Fields, Crofts, Brecks, and other Half-year Closes, in the Parishes of *Beetley*, *Great Bittering*, and *Gresfenball*, in the County of *Norfolk*, within the Liberty of *Sheepwalk*, called *Beetley Sheepwalk*; and for dividing, allotting, and inclosing, certain Commons and waste Lands, within the said Parish of *Beetley*.
 21. An Act for enabling the Right Honourable *John Earl Spencer* to inclose the several open and common Fields in the Parish of *Dunton*, in the County of *Bucks*; and for vesting certain Glebe Lands, and the Tithes belonging to the Rectory of *Dunton* aforesaid, in the said *John Earl Spencer*; and for making a Compensation to the Rector of the said Parish in lieu thereof.
 22. An Act for dividing and inclosing the open Fields, Meadow, Pasture, and all other commonable Grounds, within the Manor of *Ratcliffe upon Wreak*, in the County of *Leicester*.
 23. An Act for dividing and inclosing certain open common Fields, Pastures, and waste Grounds, called *Cropredy Field* and *Ast Mead*, within the Parish of *Cropredy*, in the County of *Oxford*.
 24. An Act for dividing and inclosing certain open and common Fields, common Meadows, common Grounds, and commonable Places, in the Parish of *Waddesdon*, in the County of *Bucks*.
 25. An Act for dividing, allotting, and inclosing, the open Fields, Wastes, and commonable Places, of *Hucklescote* and *Donnington on the Heath*, in the Parish of *Ibstock*, in the County of *Leicester*.
 26. An Act for dividing and inclosing the Commons and waste Grounds, within the Manor or Lordship of *Oswaldtwistle*, in the Parish of *Whalley*, in the County Palatine of *Lancaster*.
 27. An Act for dividing and inclosing all the open Fields, Meadows, Pastures, and commonable Grounds, within the Township or Liberty of *Sutton Saint Ann's*, otherwise *Sutton Bonnington*, commonly called *Saint Ann's End*, in the County of *Nottingham*.
 28. An Act for dividing and inclosing several Pieces and Parcels of Land, called *Bishop's Itchington Heath*, *Christmas Hill*, *Palmer's Furze*, *the Olt*, and commonable Places, within the Parish of *Bishop's Itchington*, in the County of *Warwick*.
 29. An Act for dividing and inclosing certain open common Fields, Meadows, Ings, and other commonable Lands and waste Grounds, within the Parish of *West Keal*, in the County of *Lincoln*.
 30. An Act for dividing and inclosing the common Pasture or waste Ground, called *Cottmore*, and such Part of the common Pasture or waste Ground, called *Radley*, as lies within the Districts of *Southwell* and *Westhorpe*, in the Parish of *Southwell*, in the County of *Nottingham*.
 31. An Act for dividing and inclosing certain common Fields, common Meadows, Pastures, and other commonable Lands, within the Parish of *Old Stratford*, otherwise *Stratford upon Avon*, in the County of *Warwick*.
 32. An Act for dividing and inclosing certain Commons and waste Grounds, called *Newthorpe Great Common* and *Begerley Common*, in the Parish of *Greasley*, in the County of *Nottingham*.
 33. An Act for dividing and inclosing the open and common Fields, common Pastures, common Meadows, and other commonable Lands, of and within the Parish and Liberties of *Staverton*, in the County of *Northampton*.
 34. An Act for dividing and inclosing the open and common Fields, and other commonable Lands, in the Parish of *Halford*, and County of *Warwick*.
 35. An Act for dividing and inclosing the common and open Fields, Meadows, Pastures, Heath, and waste Grounds, within the Manor and Parish of *Wilsford*, otherwise *Willesford*, in the County of *Lincoln*.
 36. An Act to dissolve the Marriage of *Richard Heatley*, with *Arabella Dawson*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
 37. An Act to enable *Thomas Afsbeton* Esquire, and his Sons, and the Heirs Male of their Bodies, to take and use the Surname of *Smith*, pursuant to the Will of *William Smith* Esquire, deceased.
 38. An Act to enable the Honourable *Henrietta Charlotte Keck* Spinster, and her Issue, to take, use, and bear, the Surname and Arms of *Tracy*, pursuant to the Will of *Robert Tracy* Esquire, deceased.
 39. An Act for naturalizing *Nicholas Joachim Haefeler* and *John Erich*.
 40. An Act for naturalizing *Jacob Julien Baumgartner*.
 41. An Act for confirming an Agreement between *William Earl of Radnor* and the President and Fellows of *Queen's College Cambridge*, for an Exchange of the Advowson of *Seagrave*, in the County of *Leicester*, for the Advowson of *Great Chiverel*, in the County of *Wilts*.
 42. An Act for vesting in *John Earl of Breadalbane*, and his Heirs, in Fee-simple, certain Lands, Part of his entailed Estate, in the County of *Argyll*; and for settling, in lieu thereof, other Lands lying contiguous to, and interspersed with, the said entailed Estate.
 43. An Act for enabling the Dean and Chapter of *Canterbury*, *Henry Penton* Esquire, and *Thomas Brandon*, to grant Building Leases, pursuant to two several Agreements entered into for that Purpose.
 44. An Act to subject and charge the Rectory and Parsonage Impropriate of *Sunning* otherwise *Sonyng*, in the Counties of *Berks* and *Oxon*, and the Manor, Lands, Tithes, and Hereditaments, thereunto belonging, with the Payment of three several perpetual yearly Rent Charges, or annual Payments, to Doctor *Thomas Greene* and his Successors, Deans of *Sarum*; and for divesting the Fee-simple and Inheritance of the said Premises out of him and his Successors; and for vesting the same, so charged, in *Robert Palmer* Esquire, his Heirs and Assigns.
 45. An Act for vesting Part of the Freehold and Leasehold Estates, devised by the Will of *John Misford* Esquire, deceased, in Trustees, to sell the same, for discharging Incumbrances, and for laying out the Residue of the Money arising by Sale in the Purchase of other Lands and Hereditaments, to be settled in lieu thereof, to the like Uses.

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46. An Act for vesting Part of the settled Estates of *William Foster*, and *Levina Dauey Foster*, his Wife, in *Holdingham* and *New Sleaford*, in the County of *Lincoln*, in the said *William Foster*, in Fee-simple; and for settling other Estates of the said *William Foster*, in *Alderschuresh*, otherwise *Algarkirke*, in the said County, of greater Value, in lieu thereof.
47. An Act for dividing, allotting, and inclosing, the common Fields, common Meadows, and waste and commonable Lands, within the Parish of *Upton Snodsbury*, in the County of *Worcester*.
48. An Act for dividing and inclosing several open Fields, Meadows, Pastures, and Commons, within the Parish of *Spridlington*, in the County of *Lincoln*.
49. An Act for dividing and inclosing certain open Fields and Meadows, stinted common Pastures, and free Commons, in the Parish of *Heapbam*, in the County of *Lincoln*.
50. An Act for dividing and inclosing the open Fields, Meadows, common Pastures, and waste Grounds, in the Manor and Parish of *Ludborough*, in the County of *Lincoln*.
51. An Act for dividing and inclosing the open and common Fields, Meadows, Pastures, Fens, Heath, and waste Lands, within the Parish of *Potterbanworth*, in the County of *Lincoln*.
52. An Act for dividing and inclosing several Fields, Commons, and waste Lands, in the Manor of the Foreign of *Kidderminster*, in the Parish of *Kidderminster*, in the County of *Worcester*.
53. An Act for dividing and inclosing the open common Fields, Meadows, Pastures, and other common Lands, within the Hamlets of *Twyford* and *Charndon*, in the Parish of *Twyford*, in the County of *Buckingham*.
54. An Act to amend an Act, passed in the tenth Year of the Reign of his present Majesty, intituled, *An Act for dividing and inclosing such of the open Parts of the District called the Forest of Knaresborough*, in the County of *York*, as lie within the eleven Constabularies thereof; and for other Purposes therein mentioned.
55. An Act for dividing and inclosing the open Arable Fields, Meadows, Pastures, Commons, and waste Grounds in the Parish of *Wroot*, in the County of *Lincoln*.
56. An Act for dividing and inclosing the common Fields, waste Grounds, and commonable Lands, within the Parish of *Folehill*, in the County of the City of *Coventry*.
57. An Act for dividing and inclosing the common and open Fields, Meadows, and commonable Lands, in the Parish of *Warmington*, in the County of *Northampton*.
58. An Act for dividing, allotting, and inclosing, the common Fields, Half-year Inclosures, Lammas Meadows, Brecks, Heaths, Warrens, Commons, and waste Lands, within the Parish of *Westing*, in the County of *Norfolk*.
59. An Act for dividing, allotting, and inclosing, the old whole Year Lands, common Fields, Half-year Inclosures, Lammas Meadows, Heaths, Commons, and waste Lands, within the Parish of *Barton*, otherwise *Barton Bendish*, or *Eastmore*, in the County of *Norfolk*.
60. An Act for naturalizing *Gustav. Nicolaus Eggers*.
61. An Act for naturalizing *John Everth*.
62. An Act for naturalizing Captain *David Francis De Beauvencent*.
63. An Act for naturalizing *Christian Frederick Esberger*.
64. An Act for vesting the settled Estates of *Francis Creuzé* and *Sarah* his Wife, in the County of *Worcester*, in Trustees to be sold; and for laying out the Money arising by such Sale in the Purchase of other Lands, to be settled to the same Uses.
65. An Act for Sale of the Freehold and Copyhold Estates, late of *John Wilson* Esquire, deceased, situate in the County of *Surrey*; and for laying out the Money to arise by such Sale for the Benefit of *John Wilson*, an Infant, his eldest Son and Heir at Law.
66. An Act for vesting Part of the Estates late of *George Palmes* Esquire, deceased, in the Lordship or Township of *Nabourn*, otherwise *Naburn*, in the East Riding of the County of *York*, in Trustees, to be sold; and to apply the Monies thereby arising in Payment of the Debts of the said *George Palmes*, deceased; and for other Purposes therein mentioned.
67. An Act to enable the Vicar of the Parish Church of *Saint Nicholas*, in the Town and County of the Town of *Newcastle upon Tyne*, to demise or lease Part of the Land belonging to the said Vicarage to *William Lowes* Esquire, for the Purposes, and upon the Conditions, in such Lease to be mentioned.
68. An Act for dividing and inclosing certain open and common Fields, Commonable Down Lands, and other Commonable Places, in the Parish of *Tidcombe*, otherwise *Tidcombe*, in the County of *Wilts*.
69. An Act for dividing and inclosing the several open Fields, Meadows, Pastures, and other uninclosed Grounds, within the Township of *Bainton*, in the East Riding of the County of *York*; and for making a Compensation in lieu of the Tithes of all the said Township, and of the Township of *Neswick*, in the Parish of *Bainton* aforesaid.
70. An Act for dividing and inclosing several open and common Fields, and common Meadows, within the Hamlet or Chapelry of *Defford*, in the County of *Worcester*; and for draining and levelling, and also for regulating the Stocking with Cattle, a certain Common called *Defford Common*.
71. An Act for dividing, allotting, and inclosing, the open uninclosed Fields, and Parcels of Land, within the Manor and Parish of *Garton*, in the East Riding of the County of *York*.
72. An Act for dividing and inclosing the open Arable Fields, Meadows, Pastures, Commons, and waste Grounds, in the Parish of *Finningley*, in the Counties of *Nottingham* and *York*.
73. An Act for dividing and inclosing the open and common Fields, Meadows, Commonable Lands, and Commons, within the Manor, Parish, and Liberties of *Ellington*, in the County of *Huntingdon*.
74. An Act for inclosing the open and common Fields, and common and waste Grounds, within the Parish of *Potton*, in the County of *Bedford*.
75. An Act for dividing and inclosing the open and common Fields, Meadows, and common Grounds, within the Parish of *Harringworth*, in the County of *Northampton*.
76. An Act for dividing and inclosing the open and common Fields, common Meadows, and common and waste Grounds, and also a stinted or common Pasture, called *The Cow Common*, within the Manor and Parish of *Stoke Hammond*, in the County of *Bucks*.
77. An Act for dividing and inclosing the open and common Fields, and common Downs, in the Tithings of *Milton Lilburne*, *Milton Abbots*, and *Milton Havering*, in the Parish of *Milton*, in the County of *Wilts*.
78. An Act for dividing and inclosing the open and common Fields, Meadows, Pastures, and other Commonable Lands and Grounds, within and belonging to the Chapelry or Township of *Bricklehampton*, in the County of *Worcester*.
79. An Act for dividing and inclosing the several open Arable Fields, and other uninclosed Grounds, within the Township

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- Township of *Rudston*, in the East Riding of the County of *York*.
80. An Act for dividing, allotting, and inclosing, the open and common Fields, Meadows, Commonable Lands and Commons, within the Township, Parish, and Liberties of *Easton*, in the County of *Huntingdon*.
81. An Act for dividing and inclosing several open common Fields, common Pastures, Ings, Commons, and other waste Lands and Grounds, within the Townships of *Acomb* and *Holdgate*, in the County of the City of *York*.
82. An Act for dividing and inclosing the open and common Fields, Hills, Meadow, Pastures, Lot Grounds, and Commonable Lands, within the Parish of *Oxenton*, in the County of *Gloucester*.
83. An Act to explain and amend an Act, made in the tenth Year of his present Majesty's Reign, for dividing and inclosing the open common Fields, common Pastures, and other Commonable Lands and Grounds, within the Parish of *Saint Neots*, in the County of *Huntingdon*; and for regulating the Usage and Stocking of divers Commonable Lands and Commons within the said Parish.
84. An Act to enable *John Meadows* the elder, Gentleman, and his Issue Male, to take, use, and bear, the Surname and Arms of *Theobald*, pursuant to the Will of *Elizabeth Theobald*, Widow, deceased.
85. An Act for naturalizing *Paul Burnand*.
86. An Act for naturalizing *Luder Hoffbam* and *Nicholas Harse*.
87. An Act for naturalizing *Victor Busigny*.
88. An Act for vesting the Estate of the Honourable *William Hanger*, situate in the County of *Kent*, entailed by the Will of the Right Honourable *Gabriel Lord Coleraine*, in the Kingdom of *Ireland*, deceased, in Trustees, to be sold; and for applying the Monies arising by such Sale in the Purchase of other Lands and Hereditaments, to be settled to the same Uses.
89. An Act for vesting one Moiety of the Bridge built cross *Stonehouse Creek*, near *Plymouth Dock*, in the County of *Devon*, in Trustees, in Trust, to raise a Moiety of the Expences of building the same; and also for enabling certain Persons to grant Building and other Leases, during the Minority of Sir *John Saint Aubyn* Baronet, of the respective Estates devised to him by the Wills of his Father and Sir *William Maurice* Baronet, deceased; and likewise for vesting certain Houses in *Middlesex* and *London* in Trustees, in Trust to sell the same.
90. An Act for vesting the Manor of *Thorngumbald*, and certain Messuages, Lands, Tenements, and Hereditaments, in *Thorngumbald* and *Paul*, or one of them, in *Holderness*, in the East Riding of the County of *York*, late the Estate of *Thomas Gee* Esquire, deceased, in Trustees, to be sold; and for applying Part of the Monies thereby arising in discharging the Incumbrances affecting the same Estate; and for laying out the Residue in the Purchase of other Lands and Hereditaments, to be settled to the same Uses.
91. An Act to enable *Walter Smyth* Esquire, to make and establish an Exchange of the Manor of *Binderton*, and certain Lands, Tenements, and Hereditaments, in the Parish of *Binderton*, in the County of *Suffex*, for other Lands and Hereditaments in the same County, belonging to Sir *James Peachy* Baronet.
92. An Act for dividing and inclosing the open and common Fields, Commons, Fens, and waste Grounds, in the Parish of *Timberland*, in the County of *Lincoln*.
93. An Act for dividing and inclosing the common Fields, common Ings, Meinc, Inclosures, Commons, or waste Grounds, within the Parish of *Rawmarsh*, in the West Riding of the County of *York*.
94. An Act for naturalizing *John Michael Lange*.
95. An Act for empowering the most Noble *William Duke of Devonshire* to make Leases of Mines and Quarries, within the Estates late of *Richard Earl of Burlington* and *Corke*, deceased, in the County of *York*.
96. An Act for vesting a Messuage and Lands, called *East Leach Grove* (Part of the settled Estate of the Right Honourable *Frederick Henry Lord Chedworth*, in the County of *Gloucester*), in Trustees, in Trust, to sell and convey the same, pursuant to an Agreement for that Purpose; and for laying out the Money arising by such Sale in the Purchase of other Lands, to be settled to the like Uses.
97. An Act to enable Sir *Edward Swinburne* Baronet, to charge certain Moors and waste Lands, within the Parishes of *Edlingham* and *Simonburne*, in the County of *Northumberland*, or either of them, late the Estate of Sir *John Swinburne* Baronet, deceased, after he shall have cultivated and improved the same in the Manner therein mentioned.
98. An Act for vesting divers Freehold Estates, late of *Robert Barbor* Esquire, deceased, in Trustees, to be sold, to raise Money, to be applied, under the Direction of the Court of Chancery, in Payment of the Debts, Legacies, and Charges, charged upon and affecting the same; and for other the Purposes therein mentioned.
99. An Act for empowering the Judges of the Court of Session in *Scotland* to sell the Whole, or such Parts and Portions, of the Estate and Barony of *Kinross*, in the County of *Kinross*, belonging to *James Bruce Carstairs* Esquire, as shall be sufficient for Payment of the Debts affecting the same; and for settling the Remainder of the said Estate and Barony, in Tail, on the same Persons, and to the same Uses and Purposes, as mentioned in a Deed of Entail, made by Sir *William Bruce* Baronet, bearing Date the sixteenth Day of *February*, in the Year one thousand six hundred and eighty-three.
100. An Act to enable certain Trustees therein named to raise Money, by Sale of certain Estates of *John Smith*, and *James Smith* his Son, in the City of *Coventry*, and County of the same City, for the Payment of Debts and Incumbrances, and other Purposes therein expressed.
101. An Act for amending and rendering effectual the Powers of Sale and Revocation of Uses, contained in the Marriage Articles and Settlement of *Richard Sterne* Esquire, and *Mary* his Wife, of divers Messuages, Lands, and Hereditaments, in the County of *York*, therein comprised.
102. An Act for enabling and empowering Trustees to accept, grant, and make, Building and other Leases, Contracts, and Agreements, of certain Messuages, Lands, and Premises, late of *William Baker* Esquire, deceased, during the Minority of his Son *Peter William Baker*, an Infant; and also, during such Minority, to receive the Rents and Profits thereof, and all other his Personal Estates, and the Interest, Dividends, and Proceed thereof, and apply the same as in the Act mentioned; and for other Purposes.
103. An Act for vesting the Estates late of *James Colebrooke* Esquire, deceased, in the County of *Kent*, in Trustees, to be sold; and for purchasing other Estates to be settled to the same Uses, subject to the Annuities, and other Charges and Incumbrances thereon; and for other Purposes therein mentioned.
104. An Act to enable the Master and Scholars of *Balial College*, in the University of *Oxford*, in their Collegiate Capacity, to convey certain Lands and Possessions belonging

The TITLES of the STATUTES.

- longing to the said College, in the Counties of *Salop* and *Radnor*, to *William Pierce Hall*, and *John Woodhouse*, Esquires, in Exchange for other Lands in the County of *Radnor*, of greater Value, to be conveyed to, and held by, them respectively, to the Uses, and upon the Trusts, therein mentioned.
105. An Act for confirming to the resident Freemen or Burgeses, and resident Widows of deceased Freemen or Burgeses, of the Town of *Newcastle upon Tyne*, their full Right and Benefit to the Herbage of *The Town Moore*, *Castle Leazes*, and *Nuns Moor*, within the Liberties of the said Town, for two Milch Cows each, in such Manner as has been used; and for improving the Herbage of the said *Town Moor*, *Castle Leazes*, and *Nuns Moor*, respectively.
106. An Act for dividing and inclosing the Commons, or Waives, called or known by the Names of *Wedmore Moor*, *Churchland Moor*, *Tadam* and *Yeel Moor*, and *Mudgeley Moor*, within the Parish of *Wedmore*, in the County of *Somerset*.
107. An Act for confirming and establishing the Division, Extinction of Right of Intercommon, and Exchanges of certain Lands, in *Balmrough*, *Shoelston*, and *Sunderland*, in the County of *Northumberland*, made between the several Persons interested therein; and for appointing Arbitrators, to settle the Claims of the respective Lords of the Manors of *Hexham* and *Blanchland*, in the said County, to a Tract of disputed Ground lying contiguous to the said Manors.
108. An Act for dividing and inclosing the open and common Fields, common Pastures, common Meadows, and other commonable Lands, of and within the Parish and Liberties of *Hellidon*, in the County of *Northampton*.
109. An Act for dividing and inclosing the open and common Fields, common Heath, common Pastures, common Meadows, and other commonable Lands, of and within the Hamlet and Liberties of *Hollowell*, in the Parish of *Guisborough*, in the County of *Northampton*.
110. An Act for dividing and inclosing the open and common Fields, Meadows, commonable Lands and Commons, within the Manor and Township of *Graffham*, in the County of *Huntingdon*.
111. An Act to dissolve the Marriage of *Stephen Popham*, Gentleman, with *Ann Yate Whiteside*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
112. An Act to enable *George Dickerdine* Esquire, and his Heirs, to take and use the Name and Surname of *Rice Fellowe*, and to bear the Arms of *Fellowe*, pursuant to the Will of *Rice Fellowe* Esquire, deceased.
113. An Act to enable the Trustees named in a certain Act of Parliament, passed in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for giving further Powers to the Trustees named in a certain Act of Parliament, made in the ninth Year of the Reign of his present Majesty*, intituled, *An Act to empower the Trustees of the Will of the late General Pulteney, and other Trustees appointed by this Act, to purchase and exchange Lands and Grounds in the Manor of Bathwick, in the County of Somerset, for the Purpose of making certain Roads and Ways to and from a free Bridge by them intended to be built over the River Avon, in the said County; and also to empower the Persons in Possession of the said Estate for the Time being, under the said Will, to grant Leases of certain Lands and Houses in the said Manor; and likewise to enable the said Trustees to grant certain Grounds and Springs of Water, within the said Manor of Bathwick, to the Mayor, Aldermen, and Citizens of Bath; and for extending the Jurisdiction of the said Mayor, Aldermen, and Citizens, over Part of the said Manor of Bathwick; and for other Purposes therein mentioned; and for enlarging the Powers of Leasing, given by the said Act, to the Persons therein named; and for other Purposes, to raise a Sum of Money for the Purposes therein mentioned.*
114. An Act for allotting and dividing the open Fields and Commons, in the Manor of *Laleham*, in the Counties of *Middlesex* and *Surrey*.

T H E

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Quinto.

‘ **A**T the Parliament begun and holden at *Westminster*, the twenty-ninth Day of *November*, *Anno Domini* one thousand seven hundred and seventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

‘ Being the first Session of the fourteenth Parliament of *Great Britain*.

C A P. I.

An Act to allow the Importation of *Indian Corn* and *Maize*, under certain Restrictions.

‘ **W**HEREAS by an Act passed in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act to regulate the Importation and Exportation of Corn*, it was, among other Things, provided, That when the Price of several Sorts of Grain exceeded certain Prices therein mentioned, that the same, and other Grain and Pulse, should be imported, paying a small Duty: And whereas the Grain, commonly called *Indian Corn* and *Maize*, was in the said Act omitted, although applicable to the same Purposes with some of the other Grains in the said Act enumerated and permitted to be imported, as aforesaid; 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, when Barley is allowed by the said Act to be imported into this Kingdom, upon the Payment of a Duty of Two-pence *per Quarter*, the Importation of *Indian Corn* and *Maize* be permitted, on the Payment of a Duty of One Penny *per Quarter*, and no more, under the like Provisions and Regulations, and with the like Appropriation of the Duty on the same, as Barley is allowed to be imported by the said Act; any Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

Preamble.

Indian Corn and Maize may be imported, paying 1 d. per Quarter, under the like Regulations as Barley is allowed to be imported by 13 Geo. III.

C A P. II.

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 seventy-five.

C A P. III.

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 seventy-five. 3 s.

C A P. IV.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

C A P. V.

An Act to repeal so much of an Act made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act to prevent the Exportation to foreign Parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, as relates to Wool Cards used in the Woollen Manufactures of this Kingdom, intended to be exported to any of his Majesty's Colonies or Plantations in *America*.

‘ **W**HEREAS by a Clause in an Act passed in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act to prevent the Exportation to foreign Parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, the collecting of Tools and Implements used

Preamble.

Clause in Act 14 Geo. III. prohibiting the Ex-

portation of
Tools, &c. in
the Woollen
Manufactory,
recited,

and by this Act
repealed, so far
as relates to the
Exportation of
Wool Cards, &c.
to America.

used in the Woollen Manufacture, with Intent to export the same, is prohibited under certain Penalties and Forfeitures: And whereas the Exportation of Wool Cards to his Majesty's Colonies in *North America* hath been very beneficial for a great Number of Years past, both to this Country and the said Colonies, and the Prohibition of the exporting of them having proved extremely prejudicial to great Numbers of poor Families in *England*, by the Stoppage of the Trade of making such Wool Cards; 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 Clause as prohibits the collecting or obtaining of Implements and Tools used in the Woollen Manufacture of this Kingdom, for the Purpose of exporting the same to some other Part or Place than *Great Britain* or *Ireland*, shall be, and the same is hereby repealed, as far as relates to Wool Cards, or Stock Cards, not exceeding in Value four Shillings per Pair, and Spinners Cards, not exceeding in Value one Shilling and Sixpence per Pair, used in the said Woollen Manufacture, intended to be exported to any of his Majesty's Colonies or Plantations in *America*.

C A P. VI.

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

C A P. VII.

An Act to continue for a further Time an Act made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act made in the fifth Year of the Reign of his present Majesty, intituled, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time; and for extending the Provisions of the said Acts to Potatoes, and all Kinds of Pulse.*

Preamble.

Act 5 Geo. III.
Act 8 Geo. III.

and Acts 9, 10,
11, 12, 13, &
14 Geo. III.

WHEREAS an Act was made in the fifth Year of his present Majesty's Reign (intituled, *An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time*): And whereas an Act was made in the eighth Year of his present Majesty's Reign, to continue and amend the said first-mentioned Act, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the *British* Dominions in *America*, for a limited Time: And whereas by six Acts, made in the ninth, tenth, eleventh, twelfth, thirteenth, and fourteenth Years of the Reign of his present Majesty, the said last-mentioned Act was continued until the first Day of *March* one thousand seven hundred and seventy-five: And whereas it is expedient that the Importation of the said Goods and Commodities should be allowed for a longer Time; 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 made in the eighth Year of his present Majesty's Reign, (intituled, *An Act to continue and amend an Act made in the fifth Year of the Reign of his present Majesty, intituled, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time*), shall continue, and be in full Force and Effect, until the thirtieth Day of *March* one thousand seven hundred and seventy-six.

further conti-
nued till *March*
30, 1776.

Potatoes, &c.
from *Ireland*
may be imported
Duty-free.

II. And whereas the free Importation of Potatoes and Pulse from *Ireland* may be advantageous, be it enacted, That during the Continuance of this Act, Potatoes, and all Kinds of Pulse, may be imported into *Great Britain* from *Ireland* free of Duty.

C A P. VIII.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March* one thousand seven hundred and seventy-five.

C A P. IX.

An Act to amend an Act made in the ninth Year of the Reign of his present Majesty, for making and maintaining a Navigable Canal from the *Coventry* Canal Navigation to the City of *Oxford*.

Preamble. Act 9 Geo. III. recited. Great Progress made in the Canal. Power by former Act to raise Money recited. What Sums have been raised. A further Subscription set on Foot. Further Powers necessary. Proprietors may raise Money not exceeding 70,000*l.* on the Credit of the Navigation, and assign the Rates, &c. as a Security for such Money. Form of Assignment. Persons to whom Assignments have been made equally intituled to the Rates. Memorials of Assignments to be entered by the Clerk. Assignments may be transferred. Form of Transfer. Transfers to be notified to the Clerk, &c. Interest of the Money borrowed to be paid Half-yearly, in Preference to the Dividends. Clause of Act 9 Geo. III. recited, as to Payment of Interest. Interest at 4*l.* per Cent. only to be paid Subscribers until the Canal is completed. Mines not to be worked within twelve Yards of the Canal or the Banks. Method of proceeding when Mines, &c. extend under the Canal. Method of discovering when

“ when Mines are working under the Canal. In case of Danger, proper Works, &c. to be made to support the Canal, &c. at the Owner's Expence. Miners to give Notice of their Intention to work within twelve Yards of the Canal; and if the Proprietors refuse Liberty to work, they are to pay for the Coal that might be got. Disputes to be settled by the Commissioners. Company impowered to take Rates for less than a Mile, &c. Satisfaction to be made within three Months for Damage done in getting Materials, &c. Powers of the Commissioners by former Act relating to the Purchase of Lands. Value of Lands and Damages sustained to be separate. Ascertainings of Damages for Lands to be cut through, not to occasion Delays in carrying on the Works. Not to hinder Owners from applying to Commissioners for Satisfaction for Lands, &c. Power for Land Owners to exchange Lands on the Sides or near the Canal. Company of Proprietors may take in a greater Breadth of Land in particular Cases than allowed by the former Act. Weight of the Lading of every Vessel to be marked, and also the Names of the Owners. Penalty for offending. Clause relative to the holding of Meetings by the former Act repealed. Time and Place where Meetings may be held by this Act. Committees may adjourn, &c. Provisions, &c. of former Act (except as excepted), and this Act, to be in Force. Persons thinking themselves aggrieved may appeal to the Quarter-Sessions. Limitation of Actions. General Issue. Treble Costs. Public Act.”

C A P. X.

An Act to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay*, and *New Hampshire*, and Colonies of *Connecticut*, and *Rhode Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British Islands* in the *West Indies*, and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of *Newfoundland*, or other Places therein mentioned, under certain Conditions and Limitations.

“ WHEREAS by an Act made in the twelfth Year of the Reign of King *Charles the Second*, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*; and by several subsequent Acts of Parliament which are now in Force, it is, amongst other Things, enacted, That for every Ship or Vessel which shall load any Commodities, in those Acts particularly enumerated, at any *British Plantation*, being the Growth, Product, or Manufacture thereof, Bonds shall be given, with one Surety, to the Value of one thousand Pounds, if the Ship be of less Burthen than one hundred Tons, and of the Sum of two thousand Pounds, if the Ship be of greater Burthen, that the same Commodities shall be brought by such Ship or Vessel to some other *British Plantation*, or to some Port in *Great Britain*: And whereas, by several other Acts of Parliament which are now in Force, no Commodities of the Growth, Product, or Manufacture of *Europe* (except Salt for the Fisheries, Wines of the *Madeiras* and *Azores* and *Western Islands*, and Viſual and Linen Cloth from *Ireland*, under the Restrictions in such Acts particularly mentioned), can be imported into any Plantation, Colony, Territory, or Place, belonging to his Majesty, in *Asia*, *Africa*, or *America*, but what shall be *bona fide*, and without Fraud, laden and shipped in *Great Britain*, and carried directly from thence: And whereas, during the Continuance of the Combinations and Disorders, which at this Time prevail within the Provinces of *Massachusetts Bay* and *New Hampshire*, and the Colonies of *Connecticut* and *Rhode Island*, to the Obstruction of the Commerce of these Kingdoms, and other his Majesty's Dominions, and in Breach and Violation of the Laws of this Realm, it is highly unfit that the Inhabitants of the said Provinces and Colonies should enjoy the same Privileges of Trade, and the same Benefits and Advantages to which his Majesty's faithful and obedient Subjects are intitled; 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 *July* one thousand seven hundred and seventy-five, and during the Continuance of this Act, no Goods, Wares, or Merchandises, which are particularly enumerated in and by the said Act made in the twelfth Year of King *Charles the Second*, or any other Act, being the Growth, Product, or Manufacture of the Provinces of *Massachusetts Bay*, or *New Hampshire*, or Colonies of *Connecticut*, *Rhode Island*, or *Providence Plantation*, in *North America*, or any or either of them, are to be brought to some other *British Colony*, or to *Great Britain*; or any such enumerated Goods, Wares, or Merchandise, which shall at any Time or Times have been imported or brought into the said Provinces or Colonies, or any or either of them, shall be shipped, carried, conveyed, or transported, from any of the said Provinces or Colonies respectively, to any Land, Island, Territory, Dominion, Port or Place whatsoever, other than to *Great Britain*, or some of the *British Islands* in the *West Indies*, to be laid on Shore there; and that no other Goods, Wares, or Merchandises whatsoever, of the Growth, Product, or Manufacture of the Provinces or Colonies herein before mentioned, or which shall at any Time or Times have been imported or brought into the same, shall, from and after the said first Day of *July*, and during the Continuance of this Act, be shipped, carried, conveyed, or transported, from any of the said Provinces or Colonies respectively, to any other Land, Island, Territory, Dominion, Port, or Place whatsoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to some of the *British Islands* in the *West Indies*, to be laid on Shore there; any Law, Custom, or Usage, to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July*, before any Ship or Vessel shall lade, or take on Board any Goods, as aforesaid, in any or either of the Provinces or Colonies before mentioned, sufficient Bond, with one Surety, besides the Master of such Ship or Vessel, shall be given to the Collector, or other Principal Officer of the Customs at the Port or Place

Preamble,
Clause in Act
12 Car. II. repealed.

After July 1,
1775, no Goods,
Wares, &c. enumerated in,
and by Act 12 Car. II.
being of the
Growth, Product,
&c. of
Massachusetts
Bay, &c. are to
be brought into
some other
British Colony,
or into Great
Britain;
and no other
Goods of the
Manufacture of
the Provinces
mentioned are to
be transported to
any other Place
except to Great
Britain or
Ireland, &c.

Bonds, with
Sureties, to be
given, besides
the Shipmasters,
before taking out

Board any Goods of the Growth, &c. of said Provinces.

Shipmasters to deliver Certificates of the due landing of Goods, which are to be signed by the Collector at the Port where landed.

After Bonds have been delivered, Collector to certify the same.

Goods laden on Board before Bond given, or without Certificate, are to be forfeited, with the Ship, &c.

After Sept. 1, 1775, certain Goods prohibited to be brought into the Colonies, unless without Fraud shipped from Great Britain.

This Act not to extend to Goods, &c. necessary for his Majesty's Ships of War, or Forts, &c.

nor hinder the lawful Importation of Goods from the British West India Islands into the said Colonies.

After July 20, 1775, all British Vessels not fitted out from Great Britain, &c. fishing on the Banks of Newfoundland, &c. to be forfeited, with their Tackle, &c.

Place where such Goods are intended to be laden, or taken on Board, in the Penalty of one thousand Pounds, if the Ship be of less Burthen than one hundred Tons, and of the Sum of two thousand Pounds, if the Ship shall be of that or any greater Burthen, with Condition that such enumerated Goods shall not be landed, or put on Shore, at or upon any other Land, Island, Territory, Dominion, Port, or Place whatsoever, except some Port or Place within the Kingdom of *Great Britain*, or some of the *British* Islands in the *West Indies*; and that all other Goods, Wares, or Merchandises, so intended to be laden as aforesaid, shall not be landed or put on Shore at or upon any Land, Island, Territory, Dominion, Port, or Place whatsoever, other than and except some Port or Place within the Kingdoms of *Great Britain* or *Ireland*, or some of the *British* Islands of the *West Indies*; and with further Condition to bring a Certificate in Discharge thereof, within eighteen Months from the Date of such Bond, for such of the said Goods as shall be entered for or landed in *Great Britain* or *Ireland* respectively, and within six Months for such of the said Goods as shall be entered for or landed in any of the *British* Islands in the *West Indies*; which respective Certificates shall be under the Hands and Seals of Office of the Collector and Comptroller, or other Principal Officer of the Customs, resident at the Port or Place where such Goods shall be landed, testifying the landing thereof; or such Bond or Bonds shall and may be discharged by Proof, upon Oath made by credible Persons that the said Goods were taken by Enemies, or perished in the Seas.

III. And it is hereby further enacted by the Authority aforesaid, That where any such Bond or Bonds shall be given, as aforesaid, in pursuance of this Act, the Collector, or other Principal Officer of the Customs, to whom such Bond or Bonds shall have been given, shall deliver, under his Hand and Seal of Office, without Fee or Reward, to the Master of the Ship or Vessel taking in such Goods, for the Security of her Navigation, a Certificate that such Bond or Bonds hath or have been given, expressing therein the Quantity and Species of the Goods, with the Marks and Numbers of the Packages, and the Port or Place for which they were entered; and if any such Goods shall be laden on Board any such Ship or Vessel in any of the Provinces or Colonies in this Act before mentioned, before such Bond or Bonds shall be given, or shall be found on Board any Ship or Vessel without the Certificate herein before directed, that such Bond or Bonds hath or have been given, the Goods so laden, together with the Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, shall be forfeited; and if any Goods, so laden as aforesaid, shall be landed or discharged at any Port or Place, contrary to the Intent and Meaning of this Act, over and above the Penalty of the Bond or Bonds, the Shipper and Owner of such Goods, and the Master or Person taking Charge of the Vessel on Board which they were laden, shall respectively forfeit the full Value of the Goods so landed or discharged, to be estimated according to the highest Price or Value which such Sort of Goods bear in the Province or Colony where and at the Time when they were shipped and laden; which Ship and Goods may be seized and prosecuted, or the Value of such Goods prosecuted for, by any Admiral, Chief Commander, or commissioned Officer of his Majesty's Fleet or Ships of War, or by any Officer of his Majesty's Customs, in the Manner herein after directed.

IV. And it is hereby further enacted by the Authority aforesaid, That from and after the first Day of *September* one thousand seven hundred and seventy-five, and during the Continuance of this Act, no Sort of Wines, Salt, or any Goods or Commodities whatsoever (except Horses, Victual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence), shall be imported into any of the said Colonies or Provinces herein before respectively mentioned, upon any Pretence whatsoever, unless such Goods shall be *bona fide* and without Fraud laden and shipped in *Great Britain*, and carried directly from thence, upon Forfeiture thereof, and of the Ship or Vessel on Board which such Goods shall be laden; and it shall be lawful for any Admiral, Chief Commander, or Commissioned Officer, of his Majesty's Fleet, or Ships of War, or any Officer of his Majesty's Customs, to seize any Ship or Vessel arriving at any of the said Provinces or Colonies before mentioned, or which shall be discovered within two Leagues of any Shore thereof, having such Goods on Board, and the Goods laden thereon (except as before excepted), for which the Master, or other Person taking Charge of such Ship or Vessel, shall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majesty's Customs, certifying that the said Goods were laden on Board the said Ship or Vessel, in some Port of *Great Britain*; any Law, Custom, or Usage, to the contrary notwithstanding.

V. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to prohibit the Exportation or carrying out from any of the Provinces or Colonies before mentioned, or the Importation into the same, of any Goods or Commodities whatsoever for the victualling or providing any of his Majesty's Ships of War, or other Ships or Vessels in his Majesty's Service, or for his Majesty's Forces, Forts, or Garrisons, any Thing herein contained to the contrary notwithstanding.

VI. And provided also, That nothing herein contained shall extend, or be construed to extend, to hinder or restrain the lawful Importation into any or either of the said Provinces or Colonies herein before mentioned, from any of the *British* Islands in the *West Indies*, of any such Goods or Commodities, being the Growth or Produce thereof, as may now by Law be imported from thence into the said Provinces or Colonies, or any or either of them.

VII. And it is hereby further enacted by the Authority aforesaid, That if any Ship or Vessel, being the Property of the Subjects of *Great Britain*, not belonging to and fitted out from *Great Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, or *Man*, shall be found, after the twentieth Day of *July* one thousand seven hundred and seventy-five, carrying on any Fishery, of what Nature or Kind soever, on the Banks of *Newfoundland*, the Coast of *Labrador*, or within the River or Gulph of *Saint Lawrence*, or upon the Coast of *Cape Breton*, or *Nova Scotia*, or any other Part of the Coast of *North America*, or having on Board Materials for carrying on any such Fishery, every such Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, together with the Fish, if any shall be found on Board, shall be forfeited, unless the Master, or other Person, having the Charge of such Ship or Vessel, do produce

duce to the Commander of any of his Majesty's Ships of War, stationed for the Protection and Superintendance of the *British Fisheries in America*, a Certificate, under the Hand and Seal of the Governor, or Commander in Chief, of any of the Colonies or Plantations of *Quebec, Newfoundland, Saint John, Nova Scotia, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, East Florida, West Florida, Bahamas, and Bermudas*, setting forth, that such Ship or Vessel, expressing her Name, and the Name of her Master, and describing her Built and Burthen, hath fitted and cleared out, from some one of the said Colonies or Plantations, in order to proceed upon the said Fishery, and that she actually and *bona fide* belongs to and is the whole and entire Property of his Majesty's Subjects, Inhabitants of the said Colony or Plantation; which Certificates such Governors, or Commanders in Chief respectively, are hereby authorized and required to grant.

VIII. And to the End that the foregoing Prohibitions, Restrictions, and Regulations, may be more effectually carried into Execution, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for all or any of the Commanders of his Majesty's Ships or Vessels of War, stationed and appointed for the Regulation and Protection of the *British Fishery upon the Coasts of North America*, or to and for the Commanders of any other of his Majesty's Ships or Vessels employed at Sea, and they and every of them are hereby required and enjoined to examine, search, and visit all Ships and Vessels suspected to be carrying on the said Fisheries; and to seize, arrest, and prosecute, in Manner herein after directed, all and every such Ships and Vessels as shall be found to be carrying on the said Fisheries, not belonging to and fitted out from *Great Britain or Ireland*, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, which shall not have on Board the Certificate herein before required.

IX. Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to empower any Officer of his Majesty's Ships of War, or of his Majesty's Customs, to seize any Ship or Vessel which shall be fitted and cleared out from any of the said Colonies and Provinces before the first Day of *June* one thousand seven hundred and seventy-five, for the Whale Fishery only, and which shall be found carrying on such Fishery within the Limits aforesaid, between the said first Day of *June* and the first Day of *November* one thousand seven hundred and seventy-five, and not carrying on, nor having on Board any Materials for carrying on, any other Fishery.

X. And be it further enacted by the Authority aforesaid, That nothing in this Act contained, respecting the Fisheries carried on by his Majesty's Subjects in *North America*, shall affect, or be construed to affect, any Ship or Vessel, her Guns, Ammunition, Tackle, Apparel, Furniture, or Fish, on Board, being the Property of any of the Inhabitants of the Island of *Nantucket*, employed in the Whale Fishery only, if it shall appear by the Papers on Board, that such Ship or Vessel was fitted and cleared out from thence before the first Day of *June* one thousand seven hundred and seventy-five, or if the Master, or other Person having the Charge of any such Ship or Vessel as aforesaid, shall produce a Certificate, under the Hand and Seal of the Governor or Commander in Chief of the Province of the *Massachusetts Bay*, setting forth, that such Ship or Vessel (expressing her Name, and the Name of her Master, and describing her Built and Burthen) is the whole and entire Property of his Majesty's Subjects of the said Island of *Nantucket*, and was the Property of one or more of them on or before the twenty-fifth Day of *March*, in the Year one thousand seven hundred and seventy-five, and that she was cleared out with Materials on Board in order to proceed upon the Whale Fishery only; any Thing in this Act to the contrary thereof in any wise notwithstanding.

XI. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act contained, respecting the Fisheries carried on by his Majesty's Subjects in *North America*, shall extend, or be construed to extend, to any Ship or Vessel, being the Property of any of the Inhabitants of the Townships of *Marshfield and Scituate*, in the Province of *Massachusetts Bay*, employed in or carrying on the Mackerel, Shad, and Alewife Fisheries only, if the Master, or other Person having the Charge of any such Ship or Vessel, as aforesaid, shall produce a Certificate, under the Hand and Seal of the Governor, or Commander in Chief, of the Province of the *Massachusetts Bay*, setting forth, that such Ship or Vessel (expressing her Name, and the Name of her Master, and describing her Built and Burthen) is the whole and entire Property of his Majesty's Subjects of the said Townships of *Marshfield and Scituate*, and was the Property of one or more of them; on or before the twenty-fifth Day of *March*, in the Year one thousand seven hundred and seventy-five, which Certificate or Certificates such Governor or Commander in Chief is hereby authorized and required to grant.

XII. Provided always, and be it enacted, That the River which emptieth itself into *Passamacadie* or *Passamaquadi Bay*, on the Western Side, and is commonly called and known by the Name of *Saint Croix River*, be held and deemed, for all the Purposes in this Act contained, to be the Boundary between the Provinces of *Massachusetts Bay* and *Nova Scotia*.

XIII. And whereas it is the Intent and Meaning of this Act, that the several Prohibitions and Restraints herein imposed upon the Trade and Commerce, and Fisheries, of the said Provinces and Colonies should be discontinued and cease, so soon as the Trade and Commerce of his Majesty's Subjects may be carried on without Interruption; be it therefore enacted by the Authority aforesaid, That whenever it shall be made appear to the Satisfaction of his Majesty's Governor or Commander in Chief, and the Majority of the Council, in the Provinces of *New Hampshire* and *Massachusetts Bay* respectively, that Peace and Obedience to the Laws shall be so far restored within the said Provinces, or either of them, that the Trade and Commerce of his Majesty's Subjects may be carried on without Interruption within the same; and that Goods, Wares, and Merchandise, have been freely imported into the said Provinces, or either of them, from *Great Britain*, and exposed to Sale, without any Let, Hindrance, or Molestation, from or by reason of any unlawful Combinations to prevent or obstruct the same; and that Goods, Wares, and Merchandise, have in like Manner been exported from the said Provinces, or either of them respectively, to

unless the Masters, &c. produce proper Certificates, &c.

Commanders of his Majesty's Ships empowered to search all Ships carrying on the said Fisheries, and to seize, &c. such as shall not have the Certificate before required.

This Act not to extend to Ships cleared out from the said Colonies before June 1, for the Whale Fishery only;

nor to affect Ships belonging to the Island of *Nantucket*, cleared out for the Whale Fishery, having a proper Certificate.

Nor any fitted out by the Townships of *Marshfield and Scituate*.

The River running into *Passamaquadi Bay* deemed the Boundary between *Massachusetts Bay* and *Nova Scotia*.

Whenever it shall appear to the Governor of *New Hampshire*, &c. that Peace is so far restored in any Province, that Trade may be carried on, he is to signify the same by Proclamation;

and all Officers of the Customs, &c. are required to pay due Obedience thereto.

If Application be made on Behalf of the Colonies of Connecticut and Rhode Island, &c. and it be proved to the Governor in Chief, &c. that lawful Trade hath been carried on, he is to issue the like Proclamation.

Proclamation not to discharge Proceedings upon any Seizure made before issuing thereof.

Persons giving false Certificates, or counterfeiting, &c. the same, to forfeit 500 l.

How Penalties and Forfeitures may be prosecuted and applied.

Persons sued for any Thing done in pursuance of this Act, may plead the General Issue.

Great Britain, for and during the Term of one Calendar Month preceding; that then, and in such Case, it shall and may be lawful for the Governor or Commander in Chief, with the Advice of the Council of such Provinces respectively, by Proclamation, under the Seal of such respective Province, to notify the same to the several Officers of the Customs, and all others; and after such Proclamation, this Act with respect to such Province, within which such Proclamation or Proclamations have been issued, as aforesaid, shall be discontinued and cease (except as herein after provided); and all Officers of his Majesty's Customs, and all other Persons having Charge of the Execution of this Act, having received due Notice of such Proclamation, are hereby directed and required to yield and pay Obedience to such Proclamation, and to proceed in the Discharge of their respective Duties, in admitting to Entry, clearing, and discharging, all Ships and Vessels, and all Goods, Wares, and Merchandises, into and out of such respective Province; and to permit and suffer any Ships or Vessels to carry on the Fisheries within the Limits herein before mentioned, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithstanding.

XIV. And be it further enacted, That the Governor or Commander in Chief, with the Advice of the Council of the Province of *Massachusetts Bay*, shall and may, and he is hereby authorized and impowered, upon Application for and on Behalf of the Colonies of *Connecticut* and *Rhode Island*, and *Providence Plantation*, or either of them, by the Governor or Commander in Chief of the said Colonies respectively, to issue the like public Notice or Notices by Proclamation within the said Colonies, or either of them, if it shall be proved to the said Governor or Commander in Chief, and Council of *Massachusetts Bay*, by the Testimony of the Officers of his Majesty's Customs in each of the said Colonies respectively, and the said Governor or Commander in Chief, and Council, shall be satisfied of the Truth thereof, that the lawful Trade between the said Colonies of *Connecticut* and *Rhode Island*, and *Providence Plantation*, and *Great Britain*, is and hath been carried on in Manner herein before mentioned within the said Colonies, or either of them, for the Space of one Calendar Month preceding the Date of such Application; and from and after such Proclamation, this Act shall, with respect to such Colonies, or either of them, be discontinued and cease (except as herein after provided); and all Officers of the Customs in the said Colonies, and all others, are hereby required to pay Obedience to such public Notice of the said Governor or Commander in Chief as aforesaid, and to proceed in the Discharge of their respective Duties in admitting to Entry, clearing, and discharging, all Ships and Vessels, and all Goods, Wares, and Merchandise, into and out of such Colony or Colonies, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithstanding.

XV. Provided nevertheless, and it is hereby further enacted and declared by the Authority aforesaid, That such Proclamation or Proclamations shall not extend, or be construed to extend, to discharge or suspend any Proceedings upon any Seizure which shall have been made, or any Prosecution which shall have been commenced for any Penalty or Forfeiture inflicted by this Act before the issuing of such Proclamation or Proclamations.

XVI. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall give or grant any false Certificate, Cocket, or Clearance, for any of the Purposes required or directed by this Act, such Person or Persons shall forfeit the Sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his Heirs and Successors, in any Office whatsoever; and if any Person or Persons shall counterfeit, erase, alter, or falsify, any Certificate, Cocket, or Clearance, required or directed by this Act, or shall knowingly or willingly make use of any false Certificate, Cocket, or Clearance, or of any Certificate, Cocket, or Clearance, so counterfeited, erased, altered, or falsified, such Person or Persons shall, for every such Offence, forfeit the Sum of five hundred Pounds, and such Certificate, Cocket, or Clearance, shall be invalid and of no Effect.

XVII. And be it further enacted by the Authority aforesaid, That the several Forfeitures and Penalties inflicted by this Act, shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures inflicted by any Act or Acts of Parliament, relating to the Trade or Revenues of the *British Colonies* or *Plantations in America*, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several Acts of Parliament, the one passed in the fourth Year of his present Majesty, intituled, *An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending, and making perpetual, an Act passed in the sixth Year of the Reign of his late Majesty King George the Second, intituled, 'An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America; for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expences of defending, protecting, and securing, the said Colonies and Plantations; for explaining an Act made in the twenty-fifth Year of the Reign of King Charles the Second, intituled, 'An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade; and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and Great Britain; and the other passed in the eighth Year of his present Majesty's Reign, intituled, 'An Act for the more easy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the British Colonies and Plantations in America.*

XVIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act of Parliament, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give the said Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance of and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after

after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover treble Costs, and have the like Remedy for the same, as Defendants have in other Cases by Law.

and recover
treble Costs.

C A P. XI.

An Act to amend an Act, made in the eleventh Year of his present Majesty's Reign, For improving and completing the Navigation of the Rivers Thames and Isis, from the City of London to the Town of Cricklade, in the County of Wilts.

WHEREAS by an Act passed in the twenty-fourth Year of the Reign of his late Majesty (intituled, *An Act for the better carrying on and regulating the Navigation of the Rivers Thames and Isis, from the City of London Westward, to the Town of Cricklade, in the County of Wilts*), the Commissioners thereby appointed were, amongst other Things, impowered to make Orders and Regulations touching the Sizes and Draughts of Water of all Boats, Barges, and other Vessels, navigating the said Rivers, and to settle proper Gauges on the Sides thereof, and how deep they should load at all Times, and in different Seasons of the Year, so as no Boat, Barge, or other Vessel, navigating the said Rivers, should draw more than four Feet of Water at any Season of the Year: And whereas by another Act, passed in the eleventh Year of his present Majesty, for improving and completing the said Navigation, the Commissioners thereby appointed were also (amongst other Things) impowered to make Orders and Regulations touching the Sizes and Draughts of all Boats, Barges, and other Vessels, navigating the said Rivers, and to settle proper Gauges on the Sides thereof, and how deep they should load at all Times, so as no Boat, Barge, or other Vessel whatsoever, navigating the said River, should draw more than three Feet of Water, which Depth should be ascertained by a straight white Line one Inch broad, extending from Head to Stern, on each Side of every Barge, Boat, or Vessel; and every Person offending therein, by navigating his Boat, Barge, or Vessel, drawing more than three Feet of Water, or not having the said white Line on each Side thereof, is thereby made liable to a Penalty or Forfeiture, not more than twenty Pounds, nor less than five Pounds, to be levied and recovered in Manner therein mentioned: And whereas the said Restrictions, touching the Depth of Water to be drawn by Boats, Barges, and other Vessels, navigated upon the said Rivers, have been found to be very prejudicial to the Bargemasters, and other Persons employed in the said Navigation, and tend to enhance the Price of Carriage of the Goods, Wares, and Merchandises navigated thereon: And whereas the white Lines before mentioned are frequently worn out or rubbed off by unavoidable Accidents, whereby innocent Persons become liable to the said Penalty, and the Depth of Water would be better ascertained by Pieces of Tin, Lead, or other Metal, to be affixed in different Places on each Side of such Boats, Barges, and other 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 no Person or Persons whatsoever shall, from and after the passing of this Act, be subject or liable to any Penalty or Forfeiture mentioned in the said Act of the eleventh Year of his present Majesty, or any other Penalty or Forfeiture whatsoever, in respect of the Depth of Water to be drawn by any Boat, Barge, or other Vessel, navigated on the said Rivers, in any District beyond the Flux of the Tide, unless such Boat, Barge, or other Vessel, shall draw more than three Feet of Water, between the first Day of *May* and the first Day of *November* in any Year, or more than three Feet and eight Inches between the first Day of *November* in any Year and the first Day of *May* in the succeeding Year; or unless such Person or Persons shall wilfully disobey any Order which shall, from Time to Time, in Scarcity of Water, be made by the Commissioners, or any seven or more of them, at any General Meeting to be held in pursuance of the said Act of the eleventh Year of his present Majesty, for limiting occasionally the Draught of Water between the first Day of *November* in any Year and the first Day of *May* in the succeeding Year, fourteen Days Notice of such Order being first printed in the *Reading* and *Oxford Journals*; any Thing in the said two Acts of Parliament contained, or any Order or Regulation made by the Commissioners, in pursuance of the said Acts, or either of them, to the contrary thereof in any wise notwithstanding.

II. And, for the better ascertaining such Depth of Water to be drawn by Boats, Barges, and other Vessels navigated upon the said Rivers, be it further enacted by the Authority aforesaid, That instead of the white Line directed by the said Act of the eleventh Year of his present Majesty to be had and used for the ascertaining thereof, the same shall, from and after the passing of this Act, be ascertained, as well by Frames, Gauges, or Regulators, to be fixed in every District, at such Places as shall be directed by seven or more Commissioners at any General Meeting, or by three or more Commissioners at any District Meeting, to be held in pursuance of the said Act of the eleventh Year of his present Majesty, as by three Pieces of Tin, Lead, or other Metal, to be nailed or fastened at proper and convenient Distances on each Side of every Boat, Barge, or other Vessel, navigated on the said Rivers, each of which Pieces of Tin, Lead, or other Metal, shall be and contain eight Inches in Length, and shall be placed perpendicularly, so as for the Bottom Parts thereof to denote the Depth of three Feet, and the Tops thereof to denote the Depth of three Feet and eight Inches, hereby allowed to be drawn by such Boats, Barges, and other Vessels, during the different Periods of Time herein before mentioned: And if any Person or Persons shall navigate his or their Boat, Barge, or other Vessel, not having the said Pieces of Tin, Lead, or other Metal, of the Dimensions aforesaid, nailed or fastened thereon, according to the Directions herein before mentioned, every such Person and Persons so offending shall be subject and liable to the same Penalty and Forfeiture which he or they would have been subject or liable to for not having the white Line on each Side of such Boat, Barge, or other Vessel, if this Act had not been made; to be recovered and levied in the

Preambles

Clause in Act:
24 Geo. II.

and Act 11
Geo. III. re-
cited.

The said Clause
now found pre-
judicial.

Regulations un-
der this Act to
be observed con-
cerning the
Depth of Water:
allowed to be
drawn.

In what Man-
ner the Depth
of Water is to
be ascertained.

Penalty for ne-
glecting the
Marks prescrib-
ed in this Act,
the same as for
neglecting the
white Lines.
11 Geo. III.

the same Manner as the said Penalty or Forfeiture is, by the said Act of the eleventh Year of his present Majesty, directed to be levied and recovered.

Persons who have navigated Boats, &c. and incurred Penalties respecting white Lines, &c. indemnified from such Penalties;

except Penalties already paid.

How the rising of the Water to the Injury of Lands is to be prevented.

Penalty to be on Neglect of Regulations prescribed.

Lock Owners shall not act as Commissioners for setting Water Marks.

Persons thinking themselves aggrieved may appeal to the Quarter Sessions.

Publick Act.

III. And be it further enacted by the Authority aforesaid, That no Person or Persons who hath or have navigated, or caused to be navigated, any Boat, Barge, or other Vessel, drawing more than three Feet of Water, or not having the said white Line on each Side thereof, before the passing of this Act, shall be subject or liable to any Penalty or Forfeiture in respect thereof, under or by virtue of the said Act of the eleventh Year of his present Majesty, or otherwise howsoever; but that all and every such Person and Persons shall be, and they are hereby indemnified from all and every Penalty and Penalties, Forfeiture and Forfeitures, by them, or any of them, incurred, by reason of such Draught of Water having exceeded the Depth of three Feet appointed by the said Act, or by reason of his or their not having the said white Line on each Side of such Boat, Barge, or other Vessel; except Penalties and Forfeitures already paid.

IV. And whereas by the said Act of the eleventh Year of his present Majesty's Reign, the Commissioners are empowered to fix a Mark or Marks at each Lock or Weir, below or above which Mark or Marks no Owner or Occupier of any Lock or Weir shall knowing or designedly let the Water fall or rise, unless authorised so to do, in Manner directed by the said Act: And whereas, since the passing of the said Act, great Damages have been sustained by the Owners and Proprietors of Lands and Grounds, occasioned by the Owners and Occupiers of the several Locks, Weirs, Bucks, and Flood-gates, or their Agents and Servants, neglecting to draw and keep open the same when the Water is risen to the Gauge and Level fixed and appointed by and under the Authority of the said Act; be it therefore further enacted by the Authority aforesaid, That when and so often as the Water shall be raised to and be level with the High-water Marks, which shall, from Time to Time, be set and appointed by the Commissioners in pursuance of the said Act of Parliament, the Tenants or Occupiers for the Time being of the several old Locks, Weirs, Bucks, Dams, and Flood-gates, in and upon the said Rivers, or either of them, or the Person or Persons who for the Time being shall be intrusted with the Opening and Shutting of the same, shall thereupon, with all convenient Speed, open such old Locks, Weirs, Bucks, Dams, and Flood-gates, and keep open the same, till the Water is sunk below the High-water Marks so set and appointed: And in case such Tenant or Occupier, or Person intrusted with the Opening and Shutting of such old Locks, Weirs, Bucks, Dams, or Flood-gates, shall neglect or refuse to open or keep open the same, as aforesaid, and shall be thereof convicted upon the Oath of one or more credible Witnesses or Witnesses, before one or more of his Majesty's Justices of the Peace for either of the Counties in which such old Lock, Weir, Buck, Dam, or Flood-gate, shall happen to be, or before any two of the Commissioners appointed, or to be appointed, in or by virtue of the said Act of the eleventh Year of his present Majesty (such Commissioners having first duly qualified themselves under the said Act), every such Person and Persons so neglecting or refusing, and being thereof convicted, as aforesaid, shall forfeit the Sum of ten Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices of the Peace, or of such two Commissioners, as aforesaid, and to be applied and disposed of for the Use of the said Navigation.

V. And, for the preventing any Fraud or Abuse in setting the said Water Marks, be it further enacted by the Authority aforesaid, That no Owner or Proprietor, Tenant or Occupier of any old Lock, Weir, Buck, Dam, or Flood-gate, upon either of the said Rivers, shall act as a Commissioner under the said Acts of Parliament, or either of them, for the Purpose of setting or appointing the said Water Marks, or any or either of them, under the like Penalty or Forfeiture which he or they would have been subject or liable to for acting under any Disqualification contained in the said Act of the eleventh Year of his present Majesty's Reign; and to be recovered, levied, and applied, in the same Manner as such Penalty or Forfeiture under the said last-mentioned Act is thereby directed to be recovered, levied, and applied, and not otherwise.

VI. Provided always, and be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved, by reason of any Penalty or Forfeiture being levied in pursuance of this Act, he, she, or they, shall have, and be intitled to, the same Benefit of Appeal to the Justices of Peace, assembled at any Quarter Sessions, as is allowed in and by the said Act of the eleventh Year of his present Majesty, in any Case where Penalties and Forfeitures are thereby inflicted.

VII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. XII.

An Act to enable the Commissioners, acting by virtue of an Act, made in the twenty-seventh Year of the Reign of his Majesty King George the Second, for draining and preserving the North Level, Part of the Great Level of the Fens, called *Bedford Level*, and divers Lands adjoining thereto, in the Manor of *Crowland*, to charge further Taxes upon the said North Level, and the said adjoining Lands.

Preamble.
Clause in Act 15 Car. II. cited.

WHEREAS by an Act, made in the fifteenth Year of the Reign of King Charles the Second, (intituled, *An Act for draining the Great Level of the Fens, called Bedford Level*), it was (amongst other Things) enacted, That *William Earl of Bedford*, and the Adventurers and Participants of *Francis Earl of Bedford* and the said *Earl William*, or either of them, their Heirs and Assigns, in such Manner as in the said Act is contained, should be a Body Politick and Corporate, in Deed and in Name, and have

have Succession for ever, by the Name of *The Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens*, with Power to lay Taxes upon ninety-five thousand Acres of Land, allotted as a Recompence for draining the said Great Level, for the Support, Maintenance, and Preservation, of the said Great Level, and Works made, and to be made, in such Manner as in the said Act is stated and set forth: And whereas by another Act, made in the twenty-seventh Year of the Reign of King George the Second, (intituled, *An Act for discharging the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, commonly called Bedford Level, from a Debt due to the Duke of Bedford and Earl of Lincoln; and for enabling the Proprietors of Lands in the North Level, Part of the said Great Level, to raise Money to discharge the Proportion of the said North Level in the Debts of the said Corporation; and for ascertaining and appropriating the Taxes to be laid on the said North Level; and for the more effectual draining and preserving the said North Level, and divers Lands adjoining thereto, in the Manor of Crowland*), stating (amongst other Facts), That, at a Court of the said Corporation, held the tenth of *March* one thousand six hundred and ninety-seven, the said Corporation declared, that the several Parts of the said Great Level should be distinguished by the several Names of the *North Level, Middle Level, and South Level*, respectively, it was (amongst other Things) enacted, That all the Money that should arise or be produced by the Taxes on such Part of the said ninety-five thousand Acres as lay within the said North Level, and all other the Rents and Revenues arising and payable to the said Corporation, by, from, or out of the said North Level, or any Part thereof, should from thenceforth be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and about the several Banks and Works in the said Act after mentioned; and, in the first place, to raise, make good, and keep in Repair, the North Bank of *Moreton's Leame*, East Bank of *Cordyke* from *Moreton's Leame* to the *Folly Bank*, the *Folly Bank* from *Cordyke* to the River *Welland*, the Bank reaching from the *Folly Bank* to *Peakirk Town*, and the South Bank of the River *Welland* to the West Dam at the End of *Crowland Town*, until the said Banks should be made of such an Height and Strength as the said Governor, Bailiffs, and Commonalty, or their Successors, should judge sufficient to defend the said North Level and *South Holland* against the Land Floods: And whereas it was, by the said Act of the twenty-seventh of King George the Second, further enacted, That the Lands and Grounds in the said North Level, and the Lands called *Partsand* otherwise *Great Partsand*, lying within the Manor of *Crowland* in *South Holland*, in the County of *Lincoln*, containing together about forty-eight thousand Acres, intended to be drained under the Power and Authority of that Act, should be divided into five Districts or Divisions, in Manner therein mentioned, and Commissioners were thereby nominated and appointed for the said several Districts; and the Commissioners for all the said five Districts were directed to meet together on the first *Monday* in *July* in every Year, and were thereby impowered to assess and charge the Owners and Occupiers of the Lands and Grounds within the said Districts (except as therein excepted) with equal and proportionable yearly Rates and Taxes, so that the said Rates and Taxes for the first four Years should be after the yearly Rate of one Shilling for every Acre of the said Lands and Grounds; and so that, after the Expiration of the said Term of four Years, the said Rates and Taxes should not exceed in any one Year Sixpence for every Acre of the said Lands and Grounds: And it was thereby further enacted, That the Taxes and Sums of Money so to be assessed and rated, and all Money to be borrowed on the Credit thereof, should be applied by the Commissioners for putting that Act in Execution, for and towards the general Works of draining and preserving all the said five Districts, and particularly in cleansing out, widening, and deepening, the ancient Branch of the River *Nene* otherwise *Old South-Eau*, and in scouring out the Reservoir and Sands at and near the Outfall from *Shire Drain* to Sea, and other Works, different from those to which the Taxes arising from such Part of the said ninety-five thousand Acres as lay within the said North Level and the Rents and Revenues of the said North Level, were directed to be applied by the said Act of the twenty-seventh of King George the Second: And whereas by an Act, made in the eleventh Year of the Reign of his present Majesty King George the Third, (intituled, *An Act to enable the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, called Bedford Level, to compleat and maintain the principal Banks and Works necessary to the well draining and preserving the North Level, Part of the said Great Level; and for laying Taxes upon the Lands within the said North Level, and divers Lands adjoining thereto, in the Manor of Crowland*), it was enacted, That all the Lands and Grounds within the said North Level, and the said Lands called *Partsand*, comprised in the said Act of the twenty-seventh Year of King George the Second (except as therein excepted), should be, and the same were thereby rated, charged, and assessed, in Manner following; (that is to say,) All the said Lands and Grounds within the said North Level (except as therein excepted), with a Tax of Sixpence for every Acre, and the said Lands called *Partsand* with Three-pence for every Acre; and that such Taxes should be paid to the Governor, Bailiffs, and Commonalty, of the Great Level of the Fens, or their Receiver: And it was thereby further enacted, That the said Taxes, and all Money to be borrowed thereon, should, together with the Money arising by the Tax fixed upon such Part of the said ninety-five thousand Acres as lie within the said North Level, and all other the Rents and Revenues arising and payable to the said Corporation from the said North Level (but without Prejudice to the Payment of a Debt of five thousand Pounds, borrowed by the said Corporation, upon Bond), be applied, by the said Governor, Bailiffs, and Commonalty, and their Successors, in and towards the Charges of the several Banks and Works of the said North Level to which the Taxes on such Part of the said ninety-five thousand Acres as lie in the said North Level, and the Rents and Revenues of the said Corporation in the said North Level, were, by the said Act of the twenty-seventh Year of King George the Second, directed to be applied: And it was thereby also enacted, That it should be lawful for the Commissioners for the five several Districts, nominated and appointed under the said Act of the twenty-seventh of King George the Second, to elect eighteen of the

Clause in Act
27 Geo. II.

and in Act 11
Geo. III. re-
cited.

said Commissioners to be a Committee to superintend and direct the Repairs to be made in the said Banks and Works; and that it should be lawful for the said Committee, assembled as by the said Act is directed, or the major Part of them, to direct such Works to be done by the Officers of the said Corporation as they should see necessary; and that the Charges and Expences of such Works should be paid by the said Corporation out of the Taxes, Rents, and Revenues, aforesaid, and out of the Money to be raised thereon: And it was thereby further enacted, That it should be lawful for the Governor, Bailiffs, and Conservators, of the said Corporation, with the Consent of the Devisees in Trust under the Will of *John* late Duke of *Bedford*, or the Survivors or Survivor of them, or the Executors, Administrators, or Assigns, of such Survivor, until one of the Grandsons of the said late Duke of *Bedford*, the Sons of the late Right Honourable *Francis Ruffel*, commonly called *Marquis of Tavistock*, should attain the Age of twenty-one Years, and then of the Duke of *Bedford*, his Heirs or Assigns, Lord or Lords, Owner or Owners, of the Manor of *Thorney*; and of Sir *Sampson Gideon* Baronet, his Heirs or Assigns, Owner or Owners of *Highb and Low Burrough Fen*; and of *Charles Orby Hunter* Esquire, his Heirs or Assigns, Lord or Lords, Lady or Ladies, of the Manor of *Crowland*, or of the Owners for the Time being, of any two of the said Manors and Lands, to borrow Money upon Bonds, under the Seal of the said Corporation, in such Manner as by the said Act is directed; and that the Rents, Taxes, and Revenues, of the said North Level (but without Prejudice to the Bond Creditors for the said Sum of five thousand Pounds), and the said Taxes charged and assessed by the said Act of the eleventh Year of his present Majesty, should be a Security for the Money so borrowed: And whereas the said Taxes of one Shilling by the Acre for the first four Years, and of Sixpence by the Acre for every Year afterwards, wherewith the said Commissioners for the said several five Districts of the said North Level were enabled, by the Act of the twenty-seventh Year of King *George* the Second, to charge the Owners and Occupiers of the Lands and Grounds within the said several Districts, have proved ineffectual to maintain and support the Works to which the same were directed by the said Act to be applied; and a considerable Debt hath been incurred by the said Commissioners upon account of the said Works; and it will be for the Benefit of the Owners and Proprietors of the said Lands and Grounds within the said several Districts to provide a further Fund for the Maintenance and Support of the said Works: And whereas the said Banks of *Moreton's Leame*, *Cordyke*, and the *Folly Drain*, to which the Taxes upon such Part of the said ninety-five thousand Acres as lie within the said North Level, and the Rents and Revenues of the said Corporation arising from the said North Level, and the Taxes charged upon the said five Districts by the said Acts of the eleventh Year of his present Majesty, are directed to be applied, have, by frequent Floods, been much endamaged, and, notwithstanding great Sums have been expended therein, are still liable to Breaches in Cases of great Land Floods, and the said Funds provided for the Repairs thereof are greatly in Debt; and it will be greatly for the Benefit of the Owners and Proprietors of the Lands within the said North Level to provide a further Fund for the immediate Repair of such Banks in Cases of Breaches, or Danger of Breaches therein: But as such Purposes cannot be attained, nor the Lands and Grounds intended to be drained by the said Acts effectually preserved, without the Aid of Parliament; 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 for and notwithstanding the said herein before mentioned Acts, or any of them, or any Clauses in them or any of them contained, it shall be lawful for the said Commissioners, nominated or appointed, elected or chosen, for the five Districts of the said North Level, by virtue of the said Act of the twenty-seventh Year of King *George* the Second, at their General Annual Meeting on the first Monday in July after the passing of this Act, to assess, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of all and singular the Lands and Grounds, situate and being within the said several Districts or Divisions, or any of them (except *Great Burrough Fen Common* otherwise *Peterborough Great Fen Common*, the Common now commonly called *The Four hundred Acre Common in Alderlands*, *Little Burrough Fen Common* otherwise *Peterborough Little Fen Common* otherwise *Flagg Fen Common*, and that Part of *Sutton Common* which lies South of *Old South Eau*, and also except all the Lands called *Hurts Grounds*, in the Parish of *Standground*, and also all the Lands in *Oxney* and *Tanbolt Farms*, *Chappel Close*, *Borough Hill Closes*, *Padbams*, *Peakirk Long Meadows*, *Peakirk Little Meadows*, and the Closes adjoining thereto, *Newark*, *Edgerley*, and the Closes adjoining thereto towards the West, and *North Billingswood*, and the Closes adjoining thereto, in the Parish of *Passon*, the Lands called *The Inbams*, lying South on the *Folly Bank*, and the Closes at the South End of the *Inbams* called *Puttock Closes*, and also except all the High Lands in *Eye-bury* and *Newark*, and all the High Lands in the Parishes of *Peterborough*, *Werrington*, *Glinton*, *Peakirk*, *Eye*, *Standground*, and *Whittlesey*, or any of them, and the Lands called *Portsand* otherwise *Great Portsand*, in the Manor of *Crowland*), for the Term of three Years, by and with equal and proportionable yearly Rates, Taxes, or Sums of Money, at the Discretion of the said Commissioners, or the major Part of them that shall be present at such yearly General Meeting, so that the said Rates or Taxes do not exceed in any one Year two Shillings for each Acre of the Lands and Grounds comprised within the five Districts (except as is before excepted), and so as that no Part of the said Lands and Grounds be at any Time charged by virtue of this Act with any greater Rate or Tax than the rest of the said Lands shall be charged with; and also to assess, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of the said Lands called *Portsand* otherwise *Great Portsand*, for the same Term of three Years, by and with equal and proportionable yearly Rates and Taxes, so that the said Rates and Taxes do not exceed in any one Year one Shilling for every Acre of the said Lands, and so as that the said Lands called *Portsand* otherwise *Great Portsand* be not at any Time charged by virtue of this Act with more than Half the Rate or Tax by the Acre that the other Lands in the said five Districts shall be so charged with; which said Rates, Taxes, and Sums of Money, so to be taxed and assessed as aforesaid, shall be paid by the respective Owners or Occupiers

Commissioners appointed by Act of 27 Geo. II. at their General Meeting empowered to lay further yearly Taxes.

Lands excepted.

Occupiers of the said Lands and Grounds, on the first Day of *August*, and the first Day of *February*, in each of the said Years, by equal Half-yearly Payments, to such Person or Persons as the said Commissioners, or the major Part of them, at any General Meeting, shall, from Time to Time, appoint to be their Receiver or Receivers; the first Half-yearly Payment to be made on the first Day of *August* which shall next happen after such Rates or Taxes shall be made.

II. And it is hereby further enacted and declared, That the said Taxes, and Sums of Money, so to be assessed, rated, raised, and paid, as aforesaid, shall, from Time to Time, be applied and disposed of by the said Commissioners, or the major Part of them who shall be present at any General Meeting, in the first place, in paying and defraying the Charges of this Act; and then in paying and discharging the Debts contracted upon account of the Works of the said North Level and *Portsand*, and in widening and rebuilding *Clow's-Cross Sluice*, erecting a Pair of Pointing Doors at *Storers Barr*, in scouring out the Reservoir and Shire Drain, and in doing other Works to which the said Taxes of one Shilling and of Sixpence were directed by the said Act of the twenty-seventh Year of King *George* the Second, or any other Act, to be applied.

III. And be it further enacted by the Authority aforesaid, That it shall also be lawful for the Commissioners for the said five Districts, at one Annual General Meeting, to be held on the first *Monday* in *July*, within three Years, to be computed from the first Day of *June* one thousand seven hundred and seventy-five, with the Consent of the Devisees in Trust under the Will of *John* late Duke of *Bedford*, Lord or Lords, Owner or Owners, of the Manor of *Thorney*, or the Survivors or Survivor of them, or the Executors, Administrators, or Assigns of such Survivor, and of *Sir Sampson Gideon*, his Heirs or Assigns, Owner or Owners of *High and Low Burrough Fen*, and of *Charles Orby Hunter* Esquire, his Heirs or Assigns, Lord or Lords, Lady or Ladies, of the Manor of *Crowland*, or of the Owners of any two of the said Manors and Lands, to assess, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of all and singular the Lands and Grounds situate and being within the said several Districts, or any of them (except as before is excepted), with further equal and proportionable Rates or Taxes for one Year, at the Discretion of the said Commissioners, or the major Part of them that shall be present at such yearly General Meeting, so that the said Rates or Taxes do not exceed one Shilling for each Acre of the Lands and Grounds comprised within the said five Districts (except as is before excepted), and so as that no Part of the said Lands and Grounds be charged with a greater Rate or Tax than the rest of the said Lands shall be charged with; and also to assess, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of the said Lands called *Portsand* otherwise *Great Portsand*, with further equal and proportionable Rates or Taxes for one Year, not exceeding Sixpence for each Acre of the said Lands and Grounds, and so as that the said Lands called *Portsand* otherwise *Great Portsand* be not charged with more than Half the Rate or Tax by the Acre which the other Lands in the said five Districts shall be charged with; which said last-mentioned Rates, Taxes, and Sums of Money, so to be paid by the said respective Owner or Owners of the said Lands in the said five Districts, shall be paid to the said Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, or to their Receiver appointed by virtue of the said Act of the eleventh Year of his present Majesty, by the respective Owners or Occupiers of the said Lands and Grounds, on the twenty-ninth Day of *September*, and the twenty-fifth Day of *March*, which shall happen next after the same shall be rated and assessed therewith, by equal Half-yearly Payments.

IV. And it is hereby further enacted and declared by the Authority aforesaid, That the said Rates, Taxes, and Sums of Money, directed to be paid to the said Governor, Bailiffs, and Commonalty, or their Receiver, shall be applied in repairing the North Bank of *Moreton's Leame*, the East Bank of *Cordyke* from *Moreton's Leame* to the *Folly Bank*, the *Folly Bank* from *Cordyke* to the River *Welland*, and the Bank reaching from the *Folly Bank* to *Peakirk Town*, in Cases of Damage or Decay in, or Breaches of, the said Banks, and in scouring out *Moreton's Leame*, and embanking the Wash Lands adjoining to the same, by the said Governor, Bailiffs, and Commonalty, in such Manner as the Committee of the Commissioners of the said five Districts, directed by the said Act of the eleventh Year of his present Majesty, elected to superintend and direct the Repairs and Amendments of the said Banks, shall direct the same to be applied, under the Powers given to the said Committee by the said Act.

V. And it is hereby further enacted, That the Quantities of the Lands and Grounds to be rated, charged, taxed, and assessed, by virtue of this Act, shall be taken according to the respective Quantities thereof ascertained in pursuance of the said Act of the twenty-seventh of King *George* the Second; and that the respective Owners or Occupiers of the said Lands and Grounds shall pay the Taxes to be rated and assessed by virtue of this Act, according to the same Number of Acres, Roods, and Perches, as they are now rated and taxed at under the said Act of the twenty-seventh of King *George* the Second.

VI. And, to the End that the several Taxes, to be charged and assessed by virtue of this Act, may be the more easily collected, be it further enacted by the Authority aforesaid, That all and every the Occupiers of the Lands and Grounds, to be taxed, charged, rated, or assessed, by virtue of this Act, shall be, and they are hereby required and made liable to pay the said Taxes, so to be charged and assessed upon the Lands and Grounds in their respective Occupations; and in case of such Payment by any Tenant or Tenants, who shall hold the Lands and Grounds by him, her, or them, occupied at a Rack Rent or Rack Rents, such Tenant or Tenants shall be at Liberty, and he, she, and they, is and are hereby empowered to deduct and retain, out of his, her, or their Rent or Rents, all such Sum and Sums of Money, as he, she, or they, shall respectively pay for such Taxes as aforesaid; and the several and respective Landlords or Owners of such Lands and Grounds are hereby required to allow such Deductions or Payments, upon the Receipt of the Residue of their Rents, such Tenant or Tenants producing proper Receipts for the Payment of such Taxes; and all and every Tenant or Tenants so holding at Rack Rent, and paying such Taxes, shall be acquitted and discharged from and against his, her, or their Landlord or

How the Sums raised are to be applied.

Commissioners for the five districts, with Consent of Devisees of the Duke of Bedford, Sir Sampson Gideon, and Mr. Hunter, &c. empowered to lay a further Tax for one Year.

How the said Tax for one Year is to be applied.

Lands and Grounds rated to be taken according to the Quantity ascertained by Act 27 Geo. II.

Tenants to pay Taxes;

and if they hold the Lands at Rack Rent, may deduct the same from their Rents. Landlords to allow such Deductions.

Landlords, of and from so much Money as the Tax or Taxes, by him, her, or them so paid as aforesaid shall amount unto, in as full and ample a Manner as if the same had been actually paid to his, her, or their Landlord or Landlords.

Certain Lessees not intitled to deduct the Taxes.

VII. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That no Lessee or Tenant for any Life or Lives, or Years determinable on the dropping of any Life or Lives, charged and assessed with the said Taxes, who shall hold his, her, or their Lands so to be taxed, charged, or assessed, by virtue of or under any Lease from any Bishop or Collegiate Church or College, or any Ecclesiastical Corporation, Sole or Aggregate, or the Trustees for the Charity of *Peterborough*, or under any other beneficial Lease whatsoever, shall be intitled to deduct the Taxes to be charged and assessed by virtue of this Act out of the Rent reserved or payable by any such Lease to his, her, or their Landlord or Landlords; but the said Taxes shall be paid and borne by the said Lessee or Lessees so holding such Lands and Grounds under any such Lease or Leases, any Thing herein before contained to the contrary thereof in any wise notwithstanding.

If any Persons neglect or refuse to pay the Taxes,

VIII. And it is further enacted by the Authority aforesaid, That if any Person or Persons shall neglect to pay the Taxes, to be charged and assessed upon the Lands or Grounds in his, her, or their Possession or Occupation, by virtue of this Act, or any of such Taxes, or any Part thereof, within twenty-one Days next after the same shall become due or payable respectively, unto the Receiver or Receivers appointed, from Time to Time, by the Commissioners of the said five Districts, in pursuance of the said Act of the twenty-seventh Year of King *George* the Second, or by the said Governor, Bailiffs, and Commonalty, by virtue of the said Act of the eleventh Year of his present Majesty, respectively, at the usual Place or Places of Residence of such Receiver or Receivers respectively within the said North Level, it shall and may be lawful to and for such Receiver or Receivers respectively, or any Person or Persons, by virtue of any Warrant or Precept, under the Hand and Seal of such Receiver or Receivers respectively, to enter into or upon the Lands and Grounds so to be charged and assessed by virtue of this Act, in Possession of such Person or Persons as shall make Default in Payment, as aforesaid, or into any Part thereof, and into all or any of the Messuages, Buildings, or Erections thereupon standing, or thereunto belonging, with their Appurtenances, and to levy and raise all and every Sum and Sums of Money by him, her, or them payable for such Taxes by Distress of the Goods and Chattels which shall be found upon the Premises so charged with such Taxes in Arrear, as aforesaid, or in any Messuage or Building thereupon standing, or thereto belonging; and in case sufficient Distress cannot be found on such Premises, then to levy and raise all Arrears of the said Taxes respectively by Distress of the Goods and Chattels of the Person or Persons so making Default in Payment, as aforesaid, which shall be found in any other Place within the Kingdom of *Great Britain*; and the Goods and Chattels so distrained to impound on the Premises, or take, lead, drive, carry away, and keep for the Space of five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuage, Grounds, or Premises, Notice in Writing of the Cause of such Distress: And if the Owner or Owners of the Goods and Chattels so distrained shall not pay all and every such Sum and Sums of Money due and in Arrear for such Taxes respectively, as aforesaid, and all Charges attending such Distress, or replevy the Goods and Chattels so distrained, with sufficient Sureties to be given to the Sheriff of the County where the Distress shall be so made, or High Bailiff of the *Isle of Ely*, according to the Laws now in being for Distresses in case of Nonpayment of Rent, within five Days next after such Distress shall be made, and Notice thereof given as aforesaid, the Person or Persons so distraining shall and may, with the Sheriff or Under Sheriff of the County, High Bailiff of the *Isle of Ely*, or his Deputy by him appointed and acting for him, or Constable or Headborough of the Parish or Place where such Distress shall be made (who are hereby required to assist therein), cause the Goods and Chattels so distrained to be appraised by two or more indifferent Persons, to be sworn by such Sheriff, Under Sheriff, High Bailiff, or his Deputy, Constable, or Headborough, (who are hereby empowered to administer such Oath), to appraise the same according to the best of their Judgments; and after such Appraisement, it shall and may be lawful to and for such Person and Persons making such Distress, the Goods and Chattels so distrained to sell, for the best Price that can be gotten for the same, for and towards Satisfaction of the Monies for which such Distress shall be so made, and the Charges of taking, keeping, appraising, and selling the Goods and Chattels so distrained, leaving the Overplus (if any) in the Hands of such Sheriff, Under Sheriff, High Bailiff, or his Deputy, Constable, or Headborough, for the Owner's Use.

Receivers may enter upon their Lands, and levy the same by Distress;

and if not found on their Lands, may distress their Goods in any other Place in *Great Britain*.

Goods distrained may be sold for Payment of Taxes.

Lands untenanted to remain a Security for Payment.

IX. Provided always, and it is hereby further enacted and declared, That in case any of the said Lands or Grounds shall at any Time be untenanted or unoccupied, so that no sufficient Distress can be found for levying the said Taxes in Arrear, as aforesaid, then the Lands and Grounds chargeable therewith shall always remain a Security for the Payment thereof; and all Goods and Chattels, which shall at any Time thereafter be found thereon, shall and may be distrained, impounded, kept, appraised, and sold, in Manner aforesaid, until all Arrears of the said Taxes, and the Charges of such Distress, shall be fully paid and satisfied.

In case certain Lands be not sufficiently drained within two Years, Owners, &c. may erect a Mill or Engine, &c.

X. And whereas there are certain Low Lands or Grounds in *Eye-Edgerley*, *Whittles-meer*, *Eyebury*, *Oxney*, *Tanholt*, and the Thirds of *Flag Fen*, within the Limits of the second District of the said North Level, which cannot be conveniently drained by the Engines now erected for draining the said second District; be it therefore enacted by the Authority aforesaid, That in case the said Lands shall not be sufficiently drained within the Space of two Years from the passing of this Act, by means of the Works to be done in pursuance hereof, it shall and may be lawful to and for the Owners of the said Lands, by and with the Consent of Sir *Sampson Gideon* Baronet, his Heirs or Assigns, Owner or Owners of the Thirds of *Flag Fen*, *Oxney*, and *Eyebury*, and of three Land Owners of the said Lands, being Owners of fifteen Acres each, at their own Expence, to erect, build, support, and maintain, one Mill or Engine, to be placed between *Oxney Load* and the South Corner of the Thirds of *Flag Fen*, and to make such Drains,

Drains, Banks, and Tunnels, within and upon the said Lands, and upon a Slip of Ground called *Allerton Gull*, lying between the Thirds of *Flag Fen* aforesaid and the Thirds of *Oxney*, as shall be necessary for conveying the Waters from the said Lands through the Drain called *Oxney Load* (which last-mentioned Drain shall be scoured, cleansed, widened, and deepened, by the Direction and at the Expence of the Commissioners of the second District of the said North Level), or otherwise, into the Drain called *Muscott* otherwise *Catwater*; and to work, use, and employ, the said Mill or Engine, so to be erected, for conveying the said Waters by such Drains, so to be cleansed, scoured, widened, deepened, or made, as aforesaid, into the said Drain called *Muscott* otherwise *Catwater*, except at such Times as herein after are mentioned; any Clause or Restriction in the said Act of the twenty-seventh Year of his late Majesty King *George* the Second, or in any other Act contained to the contrary thereof in any wise notwithstanding.

XI. Provided always nevertheless, and be it further enacted and declared by the Authority aforesaid, That the said Mill or Engine so to be erected shall not be used, worked, or employed, at any Time or Times when the Water in the Counter Drain at *Northau Gravel Bridge* shall be so high as to be above a Gauge or Mark, to be fixed or set at or near the said Bridge, by the Direction of the Committee of the Commissioners for the said North Level and *Portland* for that Purpose.

XII. And be it further enacted, That in case the said Mill or Engine shall be worked, used, or employed, at any Time or Times when the Water in the said Counter Drain shall be above such Gauge or Mark as aforesaid, it shall and may be lawful to and for the said Committee of the Commissioners of the North Level and *Portland*, or any two or more of them, upon Proof thereof, on the Oaths of two or more credible Witnesses (which Oaths any two or more of the said Committee are hereby empowered to administer), by Warrant under their Hands, to order and cause the going and working of the said Mill or Engine to be stopped or discontinued till the Water in the said Counter Drain shall be so abated as to be below the said Gauge or Mark so to be fixed as aforesaid.

XIII. Provided, and it is hereby further enacted and declared by the Authority aforesaid, That if any Action, Suit, Information, or other Proceeding, shall at any Time or Times be commenced or prosecuted against any Person or Persons, for any Thing done, or to be done, in pursuance of this Act, or in Execution of any of the Powers and Authorities hereby given, every such Action, Suit, Information, or other Proceeding, shall be commenced within twelve Calendar Months next after the Fact committed, and not afterwards; and shall be laid or brought in the Counties of *Cambridge*, *Huntingdon*, *Lincoln*, and *Northampton*, or one of them, or in the *Iste of Ely*, and not elsewhere; and the Defendant or Defendants in such Action may plead the General Issue, or if in Replevin, may justify and avow by virtue of this Act, as Persons acting under and by the Authority of Commissioners of Sewers are enabled to do, and give this Act and the special Matter in Evidence, without specially pleading the same (other than as aforesaid), 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 have been so done, or if any such Action, Suit, Information, or other Proceeding, shall be brought after the Time so limited for bringing the same, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; and in such Case, or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution of, or discontinue, his, her, or their Action or Actions, Suit or Suits, or if Judgment shall be given against him, her, or them, upon Demurrer or otherwise; then, and in every or any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover double Costs, for which he, she, or they, shall have the like Remedy, as where Costs are awarded by Law.

XIV. Saving and reserving nevertheless unto the said Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, commonly called *Bedford Level*, and their Successors, and to all and every other Person and Persons, his, her, and their Heirs, Executors, Administrators, and Assigns, all such lawful Rights, Powers, Jurisdictions, and Authorities, now vested in and enjoyed by them respectively, as are not hereby taken away, repealed, or altered.

XV. And be it further enacted and declared, That this Act shall be deemed and allowed, in all Courts within this Kingdom, and upon all Occasions whatsoever, to be a Publick Act; and shall be judicially taken Notice of as such by all Courts, Judges, and other Persons, without specially pleading the same.

C A P. XIII.

An Act for the better Relief and Employment of the Poor within the Hundreds of *East and West Flegg*, in the County of *Norfolk*.

At what Time such Engine so erected may not be worked.

Commissioners may stop such Engine when the Water rises above a certain Gauge.

Limitation of Actions.

General Issue.

Double Costs.

Saving Clause for the Conservators of *Bedford Level*.

Publick Act.

C A P. XIV.

An Act to explain and amend an Act, made in the fourteenth Year of his present Majesty, intituled, *An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages.*

Preamble.

Act 14 Geo. III.

WHEREAS by an Act, made in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, "An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages;"*) certain Penalties therein mentioned are inflicted on Persons convicted of reeling false or short Yarn, but no Provision is made for Recovery of the said Penalties, or of the Costs and Charges attending such Prosecutions, by means whereof the good Purposes intended by the said Act are rendered ineffectual; 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 several pecuniary Penalties inflicted by the said Act upon Persons who shall be convicted of reeling false or short Yarn, together with the Costs and Charges attending such Prosecutions, shall (in case the same are not paid according to the Order of the Justice or Justices before whom such Person or Persons shall be so convicted) be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant or Warrants under the Hand and Seal; or Hands and Seals, of the Justice or Justices before whom such Offender or Offenders shall be so convicted, together with the Costs and Charges of making such Distress and Sale; and if no Goods and Chattels belonging to such Offender or Offenders can be found sufficient to answer the said Penalties, together with the Costs and Charges of such Distress and Sale, then such Justice or Justices shall and may cause such Offender or Offenders to be committed to the common Gaol, or House of Correction, of the County, Riding, Division, City, Liberty, Town, or Place, where such Offence shall be committed, there to remain without Bail or Mainprize for the Space of one Calendar Month, unless such Penalties and Forfeitures, and the reasonable Charges of such Distress and Sale, shall be sooner paid and satisfied.

After passing this Act, the several Penalties inflicted by Act 14 Geo. III. on Persons reeling short Yarn, &c. to be levied by Distress of the Offenders Goods; and if no Goods sufficient can be found, they are to be committed for one Month.

If Persons think themselves aggrieved, they may appeal to the Sessions;

and the Determination of the Justices to be final.

II. Provided nevertheless, and be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace, at the next General or Quarter Sessions of the Peace to be holden for the County, Riding, City, or Place, where the Cause of Complaint shall arise; and the Justices, in their said General or Quarter Sessions, are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein as to them shall seem reasonable, and according to the true Intent and Meaning of this Act; which Determination of the said Justices in Sessions, on every and any such Appeal, shall be and are hereby declared to be final and conclusive.

C A P. XV.

An Act to amend and render more effectual in his Majesty's Dominions in *America* 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, and for extending the Provisions of the said Act to his Majesty's Marine Forces in America.*

Preamble.

WHEREAS in and by an Act, made in this present Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, several Regulations are made and enacted for the better Government of the Army and their observing strict Discipline, and for providing Quarters for the Army and Carriages on Marches and other necessary Occasions, and inflicting Penalties on Offenders against the same Act, and for many other good Purposes therein mentioned; but the same may not be sufficient for the Forces that may be employed in his Majesty's Dominions in America: And whereas, during the Continuance of the said Act, there may be Occasion for marching and quartering of Regiments and Companies of his Majesty's Forces in several Parts of his Majesty's Dominions in America: And whereas the Publick Houses and Barracks in his Majesty's Dominions in America may not be sufficient to supply Quarters for such Forces: And whereas it is expedient and necessary that Carriages and other Conveniencies upon the March of Troops in his Majesty's Dominions in America should be supplied 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,*

mons, in this present Parliament assembled, and by the Authority of the same, That for and during the Continuance of this Act, and no longer, it shall and may be lawful to and for the Constables, Tithingmen, Magistrates, and other Civil Officers of Villages, Towns, Townships, Cities, Districts, and other Places, within his Majesty's Dominions in *America*, and in Default or Absence, for any one Justice of the Peace inhabiting in or near any such Village, Township, City, District, or Place, and for no others, and such Constables, Tithingmen, Magistrates, and other Civil Officers aforesaid, are hereby required to quarter and billet the Officers and Soldiers in his Majesty's Service in the Barracks provided by the Colonies; and if there shall not be sufficient Room in the said Barracks for the Officers and Soldiers, then, and in such Case only, to quarter and billet the Residue of such Officers and Soldiers (for whom there shall not be Room in such Barracks) 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 therunto belonging, and all Houses of Persons selling of Rum, Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houses; and in case there shall not be sufficient Room for the Officers and Soldiers in such Barracks, Inns, Victualling and other Publick Alehouses, that in such and in no other Case, and upon no other Account, it shall and may be lawful for the Governor and Council of each respective Province in his Majesty's Dominions in *America*, to authorise and appoint, and they are hereby directed and empowered to authorise and appoint, such proper Person or Persons as they shall think fit, to take, hire, and make fit, and in Default of the said Governor and Council appointing and authorising such Person or Persons, or in Default of such Person or Persons so appointed neglecting or refusing to do their Duty, in that Case it shall and may be lawful for any two or more of his Majesty's Justices of the Peace, in or near the said Villages, Towns, Townships, Cities, Districts, and other Places, and they are hereby required to take, hire, and make fit for the Reception of his Majesty's Forces, such and so many uninhabited Houses, Out-houses, Barns, or other Buildings, as shall be necessary to quarter therein the Residue of such Officers and Soldiers for whom there should not be Room in such Barracks and Publick Houses, as aforesaid, and to put and quarter the Residue of such Officers and Soldiers therein.

II. And it is hereby declared and enacted, That there shall be no more Billets at any Time ordered than there are effective Soldiers present to be quartered therein: And in order that this Service may be effectually provided for, the Commander in Chief in *America*, or other Officer, under whose Orders any Regiment or Company shall march, shall, from Time to Time, give, or cause to be given, as early Notice as conveniently may be, in Writing, signed by such Commander or Officer, of their March, specifying their Numbers and Time of marching as near as may be, to the respective Governors of each Province through which they are to march, in order that proper Persons may be appointed and authorised, in pursuance of this Act, to take up and hire, if it shall be necessary, uninhabited Houses, Out-houses, Barns, or other Buildings, for the Reception of such Soldiers as the Barracks and Publick Houses shall not be sufficient to contain or receive.

III. And whereas Doubts have been entertained, whether Troops can be quartered otherwise than in Barracks, in case Barracks have been provided sufficient for the quartering of all the Officers and Soldiers within any Town, Township, City, District, or Place, within his Majesty's Dominions in *North America*: And whereas it may frequently happen, from the Situation of such Barracks, that if Troops should be quartered therein, they would not be stationed where their Presence may be necessary and required; be it therefore enacted by the Authority aforesaid, That, in such Cases, it shall and may be lawful for the Persons hereby authorised to quarter Troops as aforesaid in any of the Provinces within his Majesty's Dominions in *North America*, and they are hereby respectively authorised, empowered, and directed, on the Requisition of the Officer who for the Time being has the Command of his Majesty's Forces in *North America*, to cause any Officers or Soldiers in his Majesty's Service to be quartered and billeted in such Manner as is by this Act directed where no Barracks are provided by the Colonies.

IV. And be it further enacted by the Authority aforesaid, That if it shall happen at any Time that any Officers or Soldiers in his Majesty's Service shall remain within any of the said Colonies without Quarters for the Space of twenty-four Hours after such Quarters shall have been demanded, it shall and may be lawful for the Governor of the Province to order and direct such and so many uninhabited Houses, Out-houses, Barns, or other Buildings, as he shall think necessary to be taken (making a reasonable Allowance for the same), and made fit for the Reception of such Officers and Soldiers, and to put and quarter such Officers and Soldiers therein, for such Time as he shall think proper.

V. And be it further enacted by the Authority aforesaid, That if any Military Officer shall take upon himself to quarter Soldiers in any of his Majesty's Dominions in *America*, otherwise than is limited and allowed by this Act; or shall use or offer any Menace or Compulsion to or upon any Justice of the Peace, Constable, Tithingman, Magistrate, or other Civil Officer before mentioned, in his Majesty's Dominions in *America*, tending to deter and discourage any of them from performing any Part of the Duty hereby required, or appointed; such Military Officer, for every such Offence, being thereof convicted before any two or more of his Majesty's Justices of the Peace living within or near such Villages, Towns, Townships, Cities, Districts, or other Places, by the Oaths of two or more credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment in his Majesty's Service, upon a Certificate thereof being transmitted to the Commander in Chief in *America*; unless the said Conviction shall be reversed upon an Appeal brought within six Months in the proper Court for hearing Appeals against convicting by Justices of the Peace: And in case any Person shall find himself aggrieved in that such Constable, Tithingman, Magistrate, or other Civil Officer, shall have quartered or billeted in or upon 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 Village, Town, Township, City, District, or other Place, where such Soldiers are quartered; such Justice or Justices has or have hereby Power to relieve such Person; by ordering such and so many

Constables, &c. to quarter Officers and Men in Barracks provided for them;

and if not sufficient Room therein, to billet the Residue in Inns, Alehouses, &c.;

and if these be also insufficient, then in hired uninhabited Houses, &c. to be provided by the Governor, &c. for the Purpose.

No more Billets to be ordered than there are effective Men. Commander in Chief to give early Notice to the respective Governors of the marching of Troops, and their Numbers, that the Persons appointed may provide Quarters accordingly.

Where the Situation of Barracks are inconvenient, other Quarters shall be provided.

If Soldiers remain 24 Hours without Quarters, Governor to order uninhabited Houses, &c. to be fitted up for their Reception.

Military Officers taking upon themselves to quarter Soldiers, or using any Menace to Civil Officers to deter them from their Duty, to be cashiered; unless the Conviction be reversed upon an Appeal. Persons aggrieved by being quartered on, may complain to the Justice, and be relieved.

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.

No Justice having any Military Office to be concerned in billeting Soldiers, except where there shall be no other Justice.

VI. Provided also, and be it further enacted, That no Justice or Justices of the Peace, having or executing any Military Office or Commission in his Majesty's regular Forces in *America*, may, during the Continuance of this Act, directly or indirectly, act or be concerned in the quartering, billeting, or appointing any Quarters for any Soldier or Soldiers, according to the Disposition made for quartering of any Soldier or Soldiers by virtue of this Act (except where there shall be no other Justice or Justices of the Peace), 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.

Officers and Soldiers quartered in Inns or Ale-houses are to be furnished with Provisions at certain Rates.

VII. Provided nevertheless, and it is hereby enacted, That the Officers and Soldiers so quartered and billeted as aforesaid (except such as shall be quartered in the Barracks and hired uninhabited Houses, or other Buildings as aforesaid), shall be received, and furnished with Diet, Small Beer, Cyder, or Rum mixed with Water, 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 herein after mentioned, to be payable out of the Subsistence-money, for Diet and Small Beer, Cyder, or Rum mixed with Water.

What Innholders, &c. may allow Men quartered on them instead of Meat.

VIII. 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, in any of his Majesty's Dominions in *America* (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 Recruits by them raised), shall be desirous to furnish such Non-commission Officers or Soldiers with Candles, Vinegar, and Salt, and with Small Beer, or Cyder, not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, for each Man *per Diem, 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 every such Case, the Non-commission Officers and Soldiers so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or that actually does receive, the Pay and Subsistence of such Non-commission Officers and Soldiers, shall pay the several Sums herein after mentioned, to be payable out of the Subsistence-money, for Diet and Small Beer, to the Non-commission Officers and Soldiers 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.

What Officers and Soldiers quartered in Barracks, or in hired uninhabited Houses, are to be furnished with at the Provincial Expence.

IX. And whereas there are several Barracks in several Places in his Majesty's said Dominions in *America*, or some of them, provided by the Colonies, for the lodging and covering of Soldiers, in lieu of Quarters, for the Ease and Convenience as well of the Inhabitants of and in such Colonies as of the Soldiers, it is hereby further enacted, That all such Officers and Soldiers so put and placed in such Barracks, or in hired uninhabited Houses, Outhouses, Barns, or other Buildings, shall, from Time to Time, be furnished and supplied there by the Persons to be authorised or appointed for that Purpose by the Governor and Council of each respective Province; or upon Neglect or Refusal of such Governor and Council in any Province, then by two or more Justices of the Peace residing in or near such Place, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing their Victuals, and Small Beer or Cyder not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, to each Man, without paying any Thing for the same.

How the Expences incurred thereby are to be reimbursed.

X. And, that the several Persons who shall so take, hire, and fit up, as aforesaid, such uninhabited Houses, Outhouses, Barns, or other Buildings, for the Reception of the Officers and Soldiers, and who shall so furnish the same, and also the said Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cyder, or Rum, as aforesaid, may be reimbursed and paid all such Charges and Expences they shall be put to therein, be it enacted by the Authority aforesaid, That the respective Provinces shall pay unto such Person or Persons all such Sum or Sums of Money so by them paid, laid out, or expended, for the taking, hiring, and fitting up such uninhabited Houses, Outhouses, Barns, or other Buildings, and for furnishing the Officers and Soldiers therein, and in the Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cyder, or Rum, as aforesaid; and such Sum or Sums are hereby required to be raised in such Manner as the publick Charges for the Provinces respectively are raised.

Penalty on taking Money to excuse any Person from being quartered on.

XI. Provided always, and be it enacted by the Authority aforesaid, That if any Officer within his Majesty's said Dominions in *America* 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.

Commanding Officers may exchange Men in their Quarters.

XII. And whereas some Doubts may arise, whether Commanding Officers of any Regiment or Company within his Majesty's said Dominions in *America* may exchange any Men quartered in any Village, Town, Township, City, District, or Place, in his Majesty's said Dominions in *America*, with another Man 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 Officers respectively, provided the Number of Men do not exceed the Number at that Time billeted on such House or Houses; and the Constables, Tithingmen, Magistrates, and other Chief Officers of the Villages, Towns, Townships, Cities, Districts, or other Places where any Regiment or Company shall be quartered, are hereby required to billet such Men so exchanged accordingly.

XIII. And

XIII. And be it further enacted by the Authority aforesaid, That if any Constable, Tithingman, Magistrate, or other Chief 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 within his Majesty's said Dominions in *America*, shall neglect or refuse for the Space of two Hours to quarter or billet such Officers or Soldiers when thereunto required, in such Manner as is, by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; 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 within his Majesty's Dominions in *America*, 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 in case any Person or Persons shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before directed to be furnished or allowed to Officers and Soldiers so quartered or billeted on him or her, or in the Barracks, and hired uninhabited Houses, Outhouses, Barns, or other Buildings, as aforesaid, at the Rate herein after mentioned, and shall be thereof convicted before one of the Magistrates of any one of the Supreme Chief or Principal Common Law Courts of the Colony where such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath such Magistrate of such Court is hereby empowered to administer); every such Constable, Tithingman, Magistrate, or other Chief Officer or Person so offending, shall forfeit, for every such Offence, the Sum of five Pounds Sterling, or any Sum or Sums of Money not exceeding five Pounds nor less than forty Shillings, as the Magistrate before whom the Matter shall be heard shall in his Discretion think fit; to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal of such Magistrate before whom such Offender shall be convicted, to be directed to a Constable, or other Officer, within the Village, Town, Township, City, District, or other Place, where the Offender shall dwell; and shall direct the said Sum of five Pounds, or such other Sum as shall be ordered to be levied in pursuance of this Act, as aforesaid, when levied, to be paid into the Treasury of the Province or Colony where the Offence shall be committed, to be applied towards the general Charges of the said Province or Colony.

XIV. And, that the Quarters both of Officers and Soldiers in his Majesty's said Dominions in *America* 'may hereafter be duly paid and satisfied,' be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, 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 Companies, 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 publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Soldiers 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 and Subsistence-money to the said Officers or Soldiers, which shall be within four Days at farthest after 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 Soldiers so quartered in their respective Houses; which Account the said Officer or Officers 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 Soldiers; provided the Accounts exceed not for a Commission Officer of Foot, being 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 Horse or Horses, for their Hay and Straw, *per Diem*, Sixpence; nor for one Foot Soldier's Diet and Small Beer, Cyder, or Rum mixed as aforesaid, *per Diem*, Four-pence: And if any Officer or Officers, as aforesaid, shall not give Notice, as aforesaid, and not immediately, upon producing such Account stated, satisfy, content, and pay the same, upon Complaint, and Oath made thereof by any two Witnesses, before two of his Majesty's Justices for the Village, Town, Township, City, District, or other Place, where such Quarters were (which Oath such Justices are hereby authorized and required to administer), the Paymaster or Paymasters of his Majesty's Guards and Garrisons, 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 are hereby required and authorized to pay and satisfy the said Sums out of the Arrears due to the said Officer or Officers, upon Penalty that such Paymaster or Paymasters shall forfeit their respective Place or Places of Paymaster, 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 Paymasters are hereby authorized and required to deduct the Sums he or they shall pay, pursuant to the Certificates of the said Justices, out of the next Pay or Subsistence-money of the Regiment to which such Officer or Officers shall belong; and such Officer or Officers shall, for every such Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money, as aforesaid, be deemed and taken, and is hereby declared, to be *ipso facto* cashiered.

XV. And where it shall happen that the Pay or Subsistence-money due to any Officer or Soldier within his Majesty's said Dominions in *America*, shall, by Occasion of any Accident, not be paid to such Officer or Soldier, or such Officer or Soldier shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs; and where any Forces shall be upon their March in his Majesty's said Dominions in *America*, so that no Subsistence can be remitted to them to make Payment as this Act directs, or they shall neglect to pay the same; 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 Regiment, Troop, or Company, shall remain for any Time whatsoever, make up the Accounts with every Person with whom

Penalty on Constables, &c. delaying to quarter or billet Officers or Soldiers, after due Notice; or receiving Money to excuse quartering; and on Persons refusing to receive the Officers and Soldiers billeted on them, or to furnish them with Necessaries, as this Act directs;

is any Sum not exceeding 5l. nor less than 40s.

to be paid into the Treasury of the Colony where the Offence is committed.

Officers to give Notice to Innkeepers, &c. of Subsistence-money in their Hands;

and their Accounts to be paid off according to the Rates of Subsistence here established.

Officers not giving such Notice,

the Accounts to be discharged out of their Arrears of Pay.

If no Arrears are due, then out of the Subsistence-money of the Regiment, and the Officers to be cashiered.

On Nonpayment of Quarters, for want of Money, the Officer to make up the Accounts, and give Certificates for the Sums due.

such Regiment or 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 Regiment or Company to which he or they shall belong, to the End the said Certificate may be forthwith transmitted to the Paymaster of his Majesty's Guards and Garrisons, 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 Regiment or Company respectively, under Pain as before in this Act directed for Non-payment of Quarters.

Justices may demand an Account of quartering of the Officers and Soldiers, in order to prevent and remedy Abuses in quartering.

XVI. And, for the better preventing Abuses in quartering or billeting the Soldiers in his Majesty's Dominions in *America* 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 Justices of the Peace, or other Officer, within their respective Villages, Towns, Townships, Cities, Districts, or other Places, in his Majesty's said Dominions in *America*, by Warrant or Order 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 Constable, Tithingman, Magistrate, or other Chief 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, or other Officer 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, and the Barracks and hired uninhabited Houses, or other Buildings, as aforesaid, in which and where every such Officer or Soldier shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper or Person dwells, and where every such Barrack or hired uninhabited House or Building is or are, and of the Signs (if any) which belong to their Houses, to the End that it may appear to the said Justice or Justices, or other Officer, where such Officers or 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 them.

Justices, in pursuance of Orders received, are to issue Orders to Constables to provide Carriages for the Troops on their March.

XVII. 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 his Majesty's said Dominions in *America*, all Justices of the Peace within their several Villages, Towns, Townships, Cities, Districts, and Places, being duly required thereunto by an Order from his Majesty, or the General of his Forces, or of the General commanding, or the Commanding Officer there, shall, as often as such Order is brought and shewn unto one or more of them by the Quarter-master, Adjutant, or other Officer of the Regiment, Detachment, or Company, so ordered to march, issue out his or their Warrants to the Constables, Tithingmen, Magistrates, or other Officers of the Villages, Towns, Townships, Cities, Districts, and other Places, from, through, near, or to which such Regiment, Detachment, or Company, 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 reasonable 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 Village, Town, Township, City, District, or other Place, then the next Justice or Justices of the Peace of the Village, Town, Township, City, District, or other Place, shall, upon such Order as aforesaid being brought or shewn to one or more of them, by any of the Officers as aforesaid, issue his or their Warrants to the Constables, Tithingmen, Magistrates, or other Officers of such next Village, Town, Township, City, District, or other Place, for the Purposes aforesaid, to make up such Deficiency; and such Constable, Tithingman, Magistrate, or other Officer, shall order or appoint such Person or Persons, having Carriages within their respective Villages, Towns, Townships, Cities, Districts, or other Places, as they shall think proper, to provide and furnish such Carriages and Men according to the Warrant aforesaid; who are hereby required to provide and furnish the same accordingly.

Rates for Carriages.

XVIII. And be it further enacted, That the Pay or Hire for a *New York* Waggon, carrying twelve hundred Pounds Gross Weight, shall be Seven-pence Sterling for each Mile, and for every other Carriage in that and every other Colony in his Majesty's said Dominions in *America*, in the same Proportion; and at or after the same Rate or Price for what Weight every such other Carriage shall carry; and that the first Day's Pay or Hire for every such Carriage shall be paid down by such Officer to such Constable, Tithingman, Magistrate, or other Civil Officer, who shall get or procure such Carriages for the Use of the Owner or Owners thereof; and the Pay or Hire for every such Carriage after the first Day, shall be paid every Day, from Day to Day, by such Officer as aforesaid, into the Hands of the Driver or Drivers of such Carriages respectively, until such Carriages shall be discharged from such Service, for the Use of the Owner and Owners thereof.

Carriages not obliged to carry above 12 Cwt.

XIX. Provided always, and be it further enacted, That no such Waggon, Cart, or Carriage, impressed by Authority of this Act, shall be obliged or liable, by virtue of this Act, to carry above twelve hundred Weight, any Thing herein contained to the contrary notwithstanding.

nor to travel above one Day's March, unless other Carriages cannot be procured.

XX. Provided also, That no such Waggon, Cart, or Carriage, shall be obliged to travel more than one Day's March, if within that Time they shall arrive at any other Place where other Carriages may be procured; but in case other sufficient Carriages cannot be procured, then such Carriages shall be obliged to continue in the Service till they shall arrive at such Village, Town, Township, City, District, or other Place, where proper and sufficient Carriages for the Service of the Forces may be procured.

Penalty on Constables, &c. neglecting to provide Carriages.

XXI. And be it further enacted by the Authority aforesaid, That if any Constable, Tithingman, Magistrate, or other Civil Officer, within his Majesty's Dominions in *America*, shall wilfully neglect or refuse to execute such Warrants of the Justices of the Peace as shall be directed to them for providing Carriages, as aforesaid; or if any Person or Persons appointed by such Constable, Tithingman, Magistrate, or other Civil Officer, to provide or 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 the said Warrants may be delayed, hindered, or frustrated; every such Constable, Tithingman, Magistrate,

Civil

Civil Officer, or other Person so offending, shall, for every such Offence, forfeit any Sum not exceeding forty Shillings Sterling, nor less than twenty Shillings, to be paid into the Treasury of the Province where any such Offence shall be committed; to be applied towards the aforesaid contingent Charges of the Province: And all and every such Offence and Offences, and all and every other Offence and Offences in this Act mentioned, and not otherwise provided, shall and may be inquired of, heard, and fully determined, by two of his Majesty's Justices of the Peace, dwelling in or near the Village, Town, Township, City, District, or 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.

XXII. And whereas the Allowance hereby provided for the Payment of the Carriages that may be necessary in the Marching of Troops may not be a sufficient Compensation for the same, and to satisfy the Constables, Tithingmen, Magistrates, and other Civil Officers, their Charges and Expences therein; for Remedy whereof, be it further enacted by the Authority aforesaid, That the Constables, Tithingmen, Magistrates, and Civil Officers procuring such Carriages, shall pay a reasonable Expence or Price for every Carriage so procured; and that every such Constable, Tithingman, Magistrate, Civil Officer, or other Person, shall be repaid what he or they shall so expend, together with his or their own Charges and Expences attending the same, by the Province or Colony where the same shall arise.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That where it shall be necessary to take Waggons or other Carriages for long Marches, beyond the Settlements, an Appraisement shall be made of the Value of such Hories and Carriages, at the Time of the taking them up to be employed in such Marches beyond the Settlements, by two indifferent Persons, one to be chosen by the Commanding Officer of such Forces, and the other by the Owner of such Cattle or Carriages, a Certificate of which Appraisement shall be given to the Owner or Owners of such Cattle or Carriages respectively: And in case any of the Cattle or Carriages, so taken up for such Service, shall, in the Execution thereof, be lost or destroyed; that then, and in every such Case, upon producing the said Certificate, and proper Vouchers, upon Oath, of such Loss or Destruction, to the Paymaster General of his Majesty's Guards and Garrisons, the said Paymaster shall, and he is hereby required to pay to the respective Owners of such Cattle or Carriages the Sums specified in such Certificates and Vouchers to be the Value of such Cattle or Carriages so lost or destroyed.

XXIV. And whereas several Soldiers, being duly enlisted in his Majesty's Service, do often desert such Service; for Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Constable, Tithingman, Magistrate, or other Civil Officer, of the Village, Town, Township, City, District, or Place, within the said Dominions in America, where any Person who may be reasonably suspected to be such Deserter shall be found, to apprehend, or cause him to be apprehended; and to cause such Person to be brought before any Justice of the Peace, or other Chief Magistrate, living in or near such Village, Town, Township, City, District, or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witnesses or Witnesses upon Oath, or the Knowledge of such Justice of the Peace, or other Magistrate, it shall appear or be found that such suspected Person is a listed Soldier, and ought to be with the Regiment or Company to which he belongs, such Justice of the Peace, or other Magistrate, shall forthwith cause him to be conveyed to the Gaol of the Village, Town, Township, City, District, County, or Place, where he shall be found, or to the House of Correction, or other publick Prison, in such Village, Town, Township, City, District, County, or Place, where such Deserter shall be apprehended, and transmit an Account thereof to the Commander in Chief of his Majesty's Forces in the said Dominions in America, or to the Commanding Officer of the Forces posted nearest to such Justice or Justices, or other Magistrate or Magistrates for the Time being, to the End that such Person may be proceeded against according to Law: And the Gaoler or Keeper of such Gaol, House of Correction, or Prison, shall receive the full Subsistence of such Deserter or Deserters, during the Time that he or they shall continue in his Custody, for the Maintenance of such Deserter or Deserters, but shall not be intitled to any Fee or Reward on account of the Imprisonment of such Deserter or Deserters, any Law, Usage, or Custom, to the contrary notwithstanding.

XXV. Provided always, That if any Person shall harbour, conceal, or assist, any Deserter from his Majesty's Service, within his Majesty's said Dominions in America, knowing him to be such, the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or 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 Soldier or Deserter, or any other Person, upon any Account or Pretence whatsoever, within his Majesty's Dominions in America, or cause the Colour of such Clothes to be changed; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; and upon Conviction upon 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 Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offenders, one Moiety of the said first-mentioned Penalty of five Pounds to be paid to the Informer by whose Means such Deserter shall be apprehended, 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 Officer to whom any such Deserter or Soldier did belong: And in case any such Offenders, who shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters, or having knowingly received any Arms, Clothes, Caps, or other Furniture, belonging to the King; or 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 Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then, and in

Colony to repay the extra Expences of Carriages.

Where Carriages shall be necessarily provided for long Marches beyond the Settlements, the Horses and Carriages to be fairly appraised; and if lost or destroyed, to be paid for according to Certificate.

Deserters may be apprehended,

and committed,

Gaoler to receive their Subsistence-money for Maintenance, but no Fee for their Imprisonment.

Penalty on Persons harbouring Deserters, or buying Soldiers Arms or Clothes, &c.

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 three Months, or cause such Offender to be publicly whipt, at the Discretion of such Justice.

‘ XXVI. And whereas evil-disposed Persons frequently endeavour to delude his Majesty’s good Subjects who have engaged themselves as Soldiers in the Service of his Majesty and their Country, and to prevail with them to desert the same;’ for Remedy whereof, and for the more effectual and exemplary Punishment of Offenders in that Behalf, within his Majesty’s Colonies and Plantations in *America*, be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever (other than such as are or shall be enlisted as Soldiers, against whom sufficient Remedy is already provided by Law), shall, by Words, or other Means whatsoever, directly or indirectly, persuade or procure any Soldier or Soldiers in the Service of his Majesty, his Heirs or Successors, within any of the said Colonies or Plantations, to desert or leave such Service, or shall go about and endeavour, in Manner aforesaid, to persuade, prevail, or procure, such Soldier or Soldiers to desert or leave such Service as aforesaid, and being thereof lawfully convicted, shall, for every such Offence, forfeit to his Majesty, his Heirs and Successors, or any other Person or Persons who shall sue for the same, the Sum of forty Pounds; to be recovered by Bill, Complaint, or Information, in any of his Majesty’s Courts of Record within the Province or Place where the Offence shall be committed, wherein no Essoin, Protection, or Wager of Law, shall be allowed; and if it shall happen that such Offender, so convicted as aforesaid, shall not have Goods or Chattels, Lands or Tenements, to the Amount or Value of the said Sum of forty Pounds, to pay and satisfy the said Penalty, or that from the Circumstances or Heinousness of the Crime it shall be thought proper and convenient, the Court before which the said Conviction shall be made as aforesaid shall award the said Offender to Prison, there to remain for any Time not exceeding six 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 Fact was committed.

XXVII. Provided always, That no such Action shall be brought, or Prosecution carried on, by virtue of this Act, unless the same be commenced within six Months after the Offence committed.

XXVIII. And be it further enacted, That no Commission Officer shall break open any House within his Majesty’s Dominions in *America*, to search for Deserters, without Warrant from a Justice of the Peace, and in the Day-time; and that every Commission Officer who shall in the Night, or 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 Outhouses of any Person whatsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of twenty Pounds.

‘ XXIX. And whereas several Crimes and Offences have been and may be committed by several Persons not being Soldiers, at several Forts or Garrisons, and several other Places within his Majesty’s Dominions in *America*, which are not within the Limits or Jurisdiction of any Civil Government there hitherto established, and which Crimes and Offences are not properly cognizable or triable and punishable by a Court-martial, but by the Civil Magistrate, by Means whereof several great Crimes and Offences may go unpunished, to the great Scandal of Government;’ for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, and for so long afterwards as this Act shall continue in Force, if any Person or Persons, not being a Soldier or Soldiers, do or shall commit any Crime or Crimes, or Offence or Offences, in any of the said Forts, Garrisons, or Places, within his Majesty’s Dominions in *America*, which are not within the Limits or Jurisdiction of any Civil Government hitherto established, it shall and may be lawful for any Person or Persons to apprehend such Offender or Offenders, and to carry him, her, or them, before the Commanding Officer for the Time being of his Majesty’s Forces there; and such Offender being charged upon Oath, in Writing, before the said Commanding Officer, and which Oath the said Commanding Officer is hereby empowered to administer, that then, and in every such Case, the said Commanding Officer shall receive and take into his Custody, and safely keep every such Offender, and shall convey and deliver, or cause to be conveyed and delivered, with all convenient Speed, every such Offender to the Civil Magistrate of the next adjoining Province, together with the Cause of his or her Detainer, to be committed and dealt with by such Civil Magistrates or Magistrate according to Law; and every such Civil Magistrate is hereby commanded and required to commit every such Offender, that he or she may be dealt with according to Law; and in every such Case, it shall and may be lawful to prosecute and try every such Offender in the Court of such Province or Colony where Crimes and Offences of the like Nature are usually tried, and where the same would be properly tried, in case such Crime or Offence had been committed within the Jurisdiction of such Court; and such Crime shall and may be alledged to be committed within the Jurisdiction of such Court; and such Court shall and may proceed therein to Trial, Judgment, and Execution, in the same Manner as if such Crime or Offence had been really committed within the Jurisdiction of such Court, any Law, Usage, Custom, Matter, or Thing whatsoever, to the contrary notwithstanding.

XXX. And be it further enacted by the Authority aforesaid, That every Bill, Complaint, 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 the said other in Part recited Act, in any of his Majesty’s Dominions in *America*, shall be brought and prosecuted in and before some principal Court of Record in the Colony where such Matter or Thing shall be done or committed; and in case the same shall not be done or committed within the Jurisdiction of any such Court, then in the Court of the Colony next to the Place where the same shall be done and committed, and in no other Court whatsoever.

XXXI. And be it further enacted by the Authority aforesaid, That where any Troops or Parties upon Command have Occasion in their March, in any of his Majesty’s Dominions in *America*, to pass regular Ferries,

Persons persuading Soldiers to desert, to forfeit 40 L.

or suffer six Months Imprisonment, at the Discretion of the Court.

When Actions may be commenced.

Penalty 20 l. if any Officer break open a House to search for Deserters without Warrant.

Persons not being Soldiers committing any Offences in any Fort or Garrison, &c. not within the Jurisdiction of any Civil Government,

may be apprehended; and being charged on Oath with the Offence, may be committed to safe Custody till delivered over to the Civil Magistrate.

Suits in what Courts to be prosecuted.

How the Troops are to pay in passing Ferries.

Ferries, 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 entire to himself and his Party, debarring others for that Time in his Option; and in case he shall chuse 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 for, Officers with or without Parties are to agree for Boats at the Rates that other Persons do in the like Cases.

XXXII. And be it further enacted by the Authority aforesaid, That all Sum and Sums of Money mentioned in this Act, and all Penalties and Forfeitures whatsoever to be incurred or forfeited for any Offence, Cause, Matter, or Thing whatsoever, to be done, committed, or omitted to be done, in his Majesty's Colonies and Dominions in *America*, contrary to the true Intent and Meaning of this Act, shall be, and shall be paid and forfeited in lawful Money of the Colony or Place where the same shall be forfeited or become due, at the Rate of four Shillings and Eight-pence Sterling Money for a *Spanish* milled Dollar, and not otherwise.

XXXIII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained, touching the quartering his Majesty's Forces, and the supplying them in their Quarters, and the furnishing Carriages on their Marches, and on other necessary Occasions, shall extend, or be construed to extend, to any Province, Colony, or Plantation, during such Time as any Law of such Province, Colony, or Plantation, which shall have received the Confirmation of his Majesty in Council, shall be in Force for providing Quarters for his Majesty's Officers and Soldiers, and for furnishing them in their Quarters, and for providing Carriages for them on Marches, or on any other necessary Occasion, within such Province, Colony, or Plantation.

XXXIV. Provided always, and be it enacted, That whenever any Troops shall march through, or be stationed in, any Place in *North America*, it shall and may be lawful for the Civil Magistrates, Select-men, or other Person or Persons (appointed by Act of Parliament, or by any Law of such Province, Colony, or Plantation, as aforesaid, to quarter and make Provision for Troops), as likewise for the Officer commanding the Troops so marching or stationed, as aforesaid, by mutual Agreement, signed by the respective Parties, to provide Quarters for the said Troops, in any Manner most convenient to them and to the Country, any Act or Thing to the contrary notwithstanding, so as that no Expence be brought on the Crown by such Agreement.

XXXV. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Complaint, or Suit, shall be brought or commenced against any Person or Persons for any Act, Matter, or Thing, done or acted in pursuance of this Act, that it shall and may be lawful to and for all and every Person or Persons so acted in Evidence to the Jury who shall try the Cause; and if the Verdict therein shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein shall become nonsuit, or suffer a Discontinuance, or by any other Means Judgment therein shall be given for the Defendant or Defendants therein; that in every such Case the Justice or Justices, or other Judge or Judges of the Court in which such Action shall be brought, shall, by Force and Virtue of this Act, allow unto such Defendant or Defendants his or their Treble Costs, which he or they shall have sustained or be put to by reason of the Defence of such Suit, for which Costs such Defendant and Defendants shall have the like Remedy as in other Cases where Costs are by the Law given to Defendants.

XXXVI. And whereas, during the Continuance of this Act, there may be Occasion for the marching and quartering of some of his Majesty's Marine Forces in some Parts of his Majesty's Dominions in *America*; be it therefore further enacted by the Authority aforesaid, That this Act, and all and singular the Clauses and Provisions herein mentioned and contained, as well relating to the quartering and billeting of his Majesty's Land Forces in his Dominions in *America*, and providing them with Carriages on their Marches, as also relating to all and every other Provision, Regulation, Penalty, Punishment, Matter, and Thing, herein provided, enacted, and made, with respect to the said Land Forces, shall be deemed, construed, and taken to extend, and the same, and all and every Part and Parts thereof, and of this Act, are, in all Respects, and to all Intents and Purposes whatsoever, hereby extended to his Majesty's Marine Forces while on Shore, in any of his Majesty's Dominions in *America*, as fully and effectually, to all Intents and Purposes, as if the said Marine Forces had herein been particularly mentioned in Conjunction with his Majesty's other Forces.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall continue and be in Force in all his Majesty's Dominions in *America*, from the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, until the twenty-fourth Day of *March*, in the Year of our Lord one thousand seven hundred and seventy-seven.

C A P. XVI.

An Act to enable Sir *Nigel Gresley* Baronet, and *Nigel Bowyer Gresley* Esquire, his Son, to make and maintain a navigable Cut or Canal from certain Coal Mines in *Apedale* to *Newcastle under Lyme*, in the County of *Stafford*.

WHEREAS Sir *Nigel Gresley* Baronet, and *Nigel Bowyer Gresley* Esquire, Son and Heir-apparent of the said Sir *Nigel Gresley*, are Proprietors of several considerable Mines, Rows, and Veins of Coal, situate within the Manor of *Apedale*, in the County of *Stafford*: And whereas the making a navigable Cut or Canal from the said Coal Mines to *Newcastle under Lyme*, in the said County, will be of particular

Pecuniary Penalties to be paid at the Rate of 4s. 8d. Sterling the Spanish milled Dollar.

This Act not to extend to any Province, while any Law of such Province for providing Quarters, &c. shall be in Force.

Civil Magistrates, &c. may, by mutual Agreement, provide Quarters, &c.

Limitation of Actions.

General Issue.

Treble Costs.

This Act to extend to Marine Forces while on Shore in *America*.

This Act to be in Force from March 24, 1775, to March 24, 1777.

Preamble.

particular Advantage to the Inhabitants of the said Town and Parts adjacent, and of publick Utility :
 And whereas the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley* are the Proprietors of a considerable Part
 of the Lands through which the said Cut or Canal is proposed to be made, and are willing and desirous,
 at their own Expence, to make and maintain such Cut or Canal; may it therefore please your Majesty
 that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice
 and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That it shall and may be lawful to and for the said Sir *Nigel Gresley*,
 and *Nigel Bowyer Gresley*, their Heirs and Assigns, and they are hereby authorized and empowered, from
 and after the passing of this Act, at their own Costs and Charges, to make, maintain, and support, a
 navigable Cut or Canal, for Boats, Barges, and other Vessels, from the said Coal Mines of them the said
 Sir *Nigel Gresley*, and *Nigel Bowyer Gresley*, situate in *Apedale* aforesaid, by *Chesterton* and *Holditch*, to
Newcastle under Lyme aforesaid, and to supply the said Cut or Canal whilst the same shall be making, and
 when made, with Water from the said Coal Mines, and from such Springs as shall be found in making
 the same, and also from such Brooks, Streams, and Watercourses, as shall or may communicate with the
 said Cut or Canal, or be found within the Distance of one thousand Yards of any Part thereof; and for
 that Purpose the said Sir *Nigel Gresley*, and *Nigel Bowyer Gresley*, their Heirs and Assigns, and their Agents,
 Servants, Workmen and Labourers, are hereby authorized and empowered, in, upon, and through the
 Lands and Grounds of or belonging to the King's Majesty, his Heirs or Successors, or of any other Per-
 son or Persons, Bodies Politick, Corporate, or Collegiate whatsoever (not being at this Time Ground
 whereon a Dwelling-house or Outhouse stands, or a Garden, Yard, Park, Paddock, planted Walk or
 Avenue to a House, Lawn inclosed or adjoining to a Mansion-house), to enter, and to dig, cut, trench,
 fough, and remove Earth, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, and all other
 Matters and Things which may be dug or got in the making thereof, or which may hinder, prevent, or
 obstruct the making, using, completing, and repairing the said Cut or Canal, and Towing-paths on the
 Sides thereof, and for making, using, maintaining, and repairing of such Trenches, Passages, Gutters,
 and Watercourses respectively, as shall be necessary and proper to convey such Water as aforesaid to and
 from the said Cut or Canal; and for the raising, strengthening, and supporting, the Banks of such Cut or
 Canal, and Towing-paths, and such Trenches, Passages, Gutters, and Watercourses respectively; and
 for the making of Weirs and convenient Places for discharging the Water from the said Cut or Canal, and
 for the making of such Back Drains, Gutters, or Trenches, as shall be necessary or proper to prevent any
 Damage to the Lands or Grounds adjoining or lying near the said Cut or Canal, by the ouzing or flowing
 of Water from or out of the same; and for the making, maintaining, enlarging, opening, or altering,
 any Roads, Ways, Passages, Trenches, Sluices, or other Conveniencies, to or from the said Cut or Canal;
 and also to make, build, or set up, in or upon the said Cut or Canal, or the Lands adjoining or near the
 same, such and so many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks,
 Reservoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, and other Works, Ways,
 Roads, and Conveniencies, as and where they the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their
 Heirs and Assigns, shall think requisite and convenient for the Purposes of the said Navigation; and also,
 from Time to Time, to alter, repair, and amend the same, and to make, widen, or enlarge any Bridges,
 Ways, Roads, Passages, Cuts, Locks, Tunnels, Aqueducts, Trenches, Sluices, or other Conveniencies,
 as well for the carrying and conveying Goods, Commodities, and other Things, to or from the said Cut
 or Canal, or Navigation, as for the carrying and conveying of all Manner of Materials necessary for the
 making, erecting, finishing, altering, repairing, or amending, the said Works of and belonging to the
 said Navigation; and also to place, lay, work, and manufacture, the said Materials on the Grounds near
 to the Place or Places where the said Works, or any of them, shall or are intended to be made, erected,
 repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages, over, under, or
 through the said Cut or Canal, or the Tunnels, Aqueducts, Soughs, Trenches, Passages, Gutters, Wa-
 tercourses, and Sluices respectively, which shall communicate therewith; and also to make, set up, and
 appoint such Towing-paths, Banks, Roads, and Ways, convenient for towing, haling, or drawing of
 Boats, Barges, or other Vessels, passing in, through, or upon the said Cut or Canal, as they the said Sir
Nigel Gresley and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall think convenient; and also to dig,
 take, and carry away Soil, Clay, Gravel, or Stone, proper, requisite, and convenient for carrying on
 and maintaining the said Works and Undertakings, in or from any Grounds of any Person or Persons
 adjoining or lying contiguous thereto (not being a House, Garden, Park, Paddock, planted Walk or
 Avenue to a House, or Lawn inclosed or adjoining to a Mansion-house), and to construct, erect, and keep
 in Repair, any Piers, Arches, and other Works, in, upon, and across any Rivers or Brooks, for the
 making, using, maintaining, and repairing, the said Cut or Canal, and Towing-paths on the Sides there-
 of; and also to construct, erect, make, and do all other Matters and Things which they shall think neces-
 sary and convenient for the making, effecting, extending, preserving, improving, completing, and using
 the said Navigation, in pursuance and within the true Meaning of this Act; they the said Sir *Nigel Gresley*,
 and *Nigel Bowyer Gresley*, their Heirs and Assigns, doing as little Damage as may be in the Premises, and
 making Satisfaction, in Manner herein after mentioned, to the Owners or Proprietors of, or Persons inter-
 ested in, such Lands, Tenements, or Hereditaments, Waters, Watercourses, Brooks, or Rivers respec-
 tively, as shall be taken and removed, diverted or prejudiced, for all Damages to be by them sustained in
 or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify
 the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, and their Servants, Agents,
 and Workmen, and all other Persons whatsoever, for what they or any of them shall do by virtue of the
 Powers hereby granted.

Sir Nigel Gresley
 Baronet, and Ni-
 gel Bowyer Gres-
 ley Esquire, im-
 powered to make
 a Cut or Canal;

and to enter
 upon Lands of
 other Persons,
 and dig and re-
 move Earth, &c.

and also to erect
 Bridges, Tun-
 nels, Aque-
 ducts, &c.

and place and
 manufacture
 Materials;

and make Tow-
 ing-paths, &c.

Not to prejudice
 Houses, Gar-
 dens, &c.

Lands may be
 entered for mak-
 ing Surveys.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the
 Agents and Servants of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, from
 Time

Time to Time, and at all Times hereafter, to enter upon the Lands or Grounds of the said several Persons, Bodies Politick, Corporate or Collegiate, through which the said Cut or Canal, and other Works hereby authorised, are intended to be made, in order to survey and take a Level of the same, and to set out and ascertain such Parts thereof as they shall think necessary or proper for the making such Cut or Canal, and other the Matters and Conveniencies aforesaid, such Agents or Servants making Satisfaction for the Damage they shall do thereby to the Occupiers of such Lands or Grounds for the Time being, in case the same exceeds the Sum of one Shilling.

III. Provided always, and be it enacted by the Authority aforesaid, That the Lands or Grounds to be taken or used for such Cut or Canal, and Towing-paths, and the Ditches, Drains, and Fences, to separate such Towing-paths from the adjoining Lands, shall not exceed twenty-six Yards in Breadth; except in such Places where the said Cut or Canal shall be raised higher, or cut more than five Feet deeper, than the Surface of the Land, and in such Places where it shall be judged necessary for Boats and other Vessels to turn, lie, or pass each other, or where any Crane may be erected, nor above sixty Yards in Breadth in any of the said respective Places, any Thing in this Act contained to the contrary notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That after any such Parts of the said Lands and Grounds shall be set out and ascertained as aforesaid, for making the said Cut or Canal, and other Purposes and Conveniencies herein before mentioned, it shall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees whatsoever, 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, Lunatics, Idiots, Femmes-covert, or other Person or Persons, and to and for all Femmes-covert who are or shall be seized, possessed of, or interested in their own Right, and to and for every other Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in any Lands or Grounds which shall be so set out and ascertained as aforesaid, or any Part thereof, to contract for, sell, and convey, unto the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, or to such Person or Persons as they shall nominate and appoint, for the Use of the said Navigation, all or any Part of such Lands or Grounds which shall from Time to Time be so set out and ascertained as aforesaid, either in consideration of a Sum of Money to be paid in Gross, or of an annual Rent or Payment to be charged and secured, as herein after mentioned; and where, by making the said Cut or Canal, the Property of any Land Owner shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful to and for such Bodies Politick, Corporate and Collegiate, and other such Land Owners, by and with the Consent of the Commissioners to be appointed, as herein after mentioned, or any five or more of them, to be testified by any Writing or Writings, to be by them sealed and delivered in the Presence of, and attested by, two or more credible Witnesses, to contract for, sell, and dispose of, or to convey in Exchange, in Lieu of other Lands, all or any Part of such Lands or Grounds through which the said intended Cut or Canal shall be made, to any Person or Persons whomsoever, for such Price or Prices, in Money or other Equivalent, as to the said Commissioners, or any five or more of them, shall seem reasonable: and that all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding; and all Bodies Politick, Corporate or Collegiate, and all Persons whomsoever so conveying or exchanging as aforesaid, are hereby indemnified for what he, she, they, or any of them, shall respectively do by virtue of or in pursuance of this Act; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances (other than those which concern any Purchase or Exchange between any such respective Land Owners), to be made as aforesaid, shall, at the Expence of the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, be inrolled by the Clerk of the Peace for the County of Stafford; and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Inrolment shall be paid the Sum of Three-pence for every two hundred Words, and so in proportion for any greater or lesser Number of Words, and no more.

V. And whereas Differences may arise between the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, and the several Owners of, and Persons interested in, any Lands, Grounds, Tenements, Hereditaments, or Waters, which shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted, touching the Purchase-money to be paid, or Recompence to be made, to them respectively, be it therefore enacted by the Authority aforesaid, That the Right Honourable Lord Viscount Trentham, the Right Honourable Lord Archibald Hamilton, the Right Honourable Lord Spencer Hamilton, the Honourable Baptist Leveson Gower, the Honourable Booth Grey, the Honourable John Grey, the Honourable John Grey junior, the Honourable John Leveson Gower, Sir John Astley Baronet, George Anson, Edward Arblaster, Charles Bowyer Adderley, William Armit, Charles Armit, Richard Adams Clerk, Joseph Adams, Benjamin Adams, William Adams, William Adams, Alwood, Henry Allen, Sir William Bagot, Sir Thomas Broughton, Baronets; Charles Baldwin, Thomas Boothby, Brooke Boothby, Thomas Broad, Isaac Hawkins Brown, John Tempest Borrow, Thomas Bainbridge, John Brindley, the Reverend Walter Bagot, the Reverend John Bill, the Reverend John Breck, Clerks; William Bill, George Boughy, Thomas Beech, Bagnal Beech, James Bent, John Beech, Ralph Baddeley, John Beckett, William Beard, Nathaniel Beard, John Birtles, Peter Broughton, John Bagnall, Aaron Brown, Isaac Barber, Hugh Booth, Luke Bennett, John Bennett, Thomas Bacchus, James Breck, John Bourne, Samuel Boyer, Joseph Bucknall, John Beckett, Enock Booth, Charles Barnes, Sir John Chetwode Baronet, Sir Henry Cavendish Baronet, Asheton Curzon, John Crewe, Henry Cavendish, William Cotton, the Reverend Rowland Cotton, Crew Chetwode, Jonathan Cope, William Clowes, Charles Corbett, Thomas Corbett, Henry Copestake, Brook Crutchley, the Reverend Doctor Joseph Crewe, the Reverend Doctor Randle Crewe, the Reverend Doctor William Cotton, Smith Child, Thomas Child, John Child, Francis Cobb, Ralph Cartwright, Thomas Cartwright,

Breadths of the Canal and Towing-paths.

Bodies Politick, &c. empowered to sell and convey Lands.

Small Parcels of Land may be sold or exchanged.

All Contracts to be at the Expence of Sir Nigel Gresley, &c.

Commissioners Names:

Cartwright, John Crewe of Bolesworth, John Clownam, John Clowes, Josiab Clowes, the Honourable Nathaniel Curzon, John Dolphin, Simon Debank, John Davenport, John Daintry, Michael Daintry, Sir Thomas Egerton Baronet, John Eld, Francis Eld, Samuel Egerton, Thomas Foley, Thomas Foley junior, John Fenton, John Fenton junior, the Reverend Doctor James Falconer, the Reverend John Fernyhough, the Reverend John Fenton, Thomas Fletcher, Thomas Fletcher junior, John Flecher, James Ford, John Ford, Hugh Ford, Hugh Ford, William Ford, Charles Ford, Thomas Fowler, John Ford, John Fowler, Thomas Fernyhough, Thomas Fenton, Thomas Fenton, William Fowler, Barnard Granville, Thomas Gilbert, John Gilbert, James Godwin, George Greatbatch, Thomas Griffin, the Reverend John Gresley, Sir Henry Harper Baronet, Sir Rowland Hill Baronet, Sir Charles Holte Baronet, Richard Hill, Thomas Hoo, John Hollins, Samuel Hollins, Isaac Hawkins, Nicholas Hurt, Andrew Hackett, Richard Hayne, Leighton Hayne, John Hayne, John Hodgetts, William Hodgetts, Thomas Hincklay, Peter Hinckes, Robert Hurst, Thomas Hart, Blest Hadderton, Thomas Hatrell, Henry Hatrell, Richard Higgins, William Stonebeyer Hall, George Hand, George Hand junior, Hugh Henshall, John Edensor Heathcote, Thomas Heath, Daniel Heath, John Hales, John Harrison, John Hyatt, the Reverend Randle Hancock, William Inse, William Jervis, John Jervis, Clement Kynnersley, the Reverend Keeling, William Kinnersey, Sir Edward Littleton, Sir Robert Lawley, Robert Landet, Francis Leigh, Edward Leigh, Thomas Leigh, John Levett, the Reverend Doctor Langley, Obadiab Lane Clerk, Robert Lawton, John Lawton, John Lovatt, Thomas Lovatt, Thomas Lawton, Joseph Lovatt, Nathaniel Lyster, Richard Lateward, William Lowndes, Edward Mainwaring, Edward Mainwaring junior, Hugo Mynell, Thomas Mills, William Mills, the Reverend Simon Mills, Thomas Middleton Clerk, Thomas Mountford, William Malkin, William Malkin junior, Ralph Moreton, Ralph Moreton junior, James Myatt, John Mare, John Mare junior, Jesson Mason, Francis Mare, Robert Macclesfield, Thomas Mytton, John Middleton Clerk, Fettiplace Nott, Thomas Nicholls, Thomas Parker, George Parker, Humphrey Palmer, John Phillips, Thomas Poole, Thomas Payne, Thomas Rowley, the Reverend William Robynson, Samuel Robison, James Robison, Thomas Roylance, Ralph Sneyd, Walter Sneyd, John Sneyd, the Reverend Edward Sneyd, William Swinnerton, Thomas Swinnerton, Jeremiah Smith, the Reverend Joshua Stonebeyer, Thomas Stonebeyer, Richard Stanier, William Stanier, Francis Stanier, Charles Bostoby Scrimshire, Ambrose Smith, John Shingley, Joseph Smith, John Sparrow, Thomas Simpson, John Stevenson, Thomas Swinnerton, James Smallwood, William Sutton, Edward Salmon, John Turton, George Tollett, Charles Tollett, Thomas Twemlowe, George Twemlowe, John Turner, the Honourable George Venables Vernon, Henry Vernon, William Unett, Thomas Unett, William Unett junior, Sir John Wrottesley Baronet, John Williamson, Moreton Wallbruse, Richard Whitworth, Thomas Whieldon, Thomas Wedgwood, John Wedgwood, Richard Wedgwood, Josiab Wedgwood, Thomas Wedgwood, the Reverend John Ward, Stephen Wood, Ralph Weston, Bowyer Lewtwich Wynne, the Reverend Peter Walthal, Samuel Whalley, and the Reverend William Willetts, are hereby appointed Commissioners for settling, determining, and adjusting, all Questions, Matters, and Differences, which shall or may arise between the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, or any of them, and the several Proprietors of, and Persons interested in, any Lands, Grounds, Tenements, Hereditaments, or Waters, that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the said Commissioners, or any five or more of them, acting in such Question, Matter, or Difference, as shall arise, are hereby impowered, by Writing under their Hands and Seals, with the Consent of the Parties concerned, to determine and adjust, from Time to Time, what Sum or Sums of Money shall be paid by the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, or any of them, either by an annual Rent or Payment, or by a Sum of Money in Gross, to and at the Election of such Bodies Politick, Corporate or Collegiate, Person or Persons respectively, who shall be so intitled or interested, as aforesaid, for the absolute Purchase of the Lands or Grounds which shall be set out and ascertained, as aforesaid, for making the said Cut or Canal, or any Part thereof, and other the Purposes herein mentioned; and also to determine and adjust the Recompence to be made for any Damages which may or shall be at any Time or Times whatsoever sustained by such Bodies Politick, Corporate or Collegiate, or any Person or Persons respectively, being Owners of, or interested in, any Lands, Grounds, Tenements, or Hereditaments, for or by reason of the making, repairing, or maintaining, the said Cut or Canal, Reservoirs, Trenches, Passages, Gutters, Watercourses, Roads, Ways, or Sluices, or supplying the same, or any of them, with Water, as aforesaid, or by the flowing, leaking, or ouzing, of the Water over or through the Banks of the said Cut or Canal, Reservoirs, Trenches, Sluices, or over or through any Passages, Gutters, or Watercourses, which shall be made pursuant to the Powers hereby given for conveying and communicating Water to or from the said Cut or Canal, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams or Brooks into the same, or by reason or means of the Execution of any of the Powers herein contained, by the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, Agents, Workmen, or Servants, in case such Price or Value, Damages and Recompences respectively, cannot be settled and adjusted, and agreed for, by and between the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, or any of them, and such Proprietors of, and Persons interested in, the said Lands and Grounds, as aforesaid: And if the said Sir Nigel Gresley and Nigel Bowyer Gresley, their Heirs and Assigns, for and on the Part and Behalf of themselves, or any such Bodies Politick, Corporate or Collegiate, or other Person or Persons, so interested or intitled, as aforesaid, for and on his, her, or their Parts, shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made, as aforesaid; and if any such Bodies Politick, Corporate or Collegiate, Trustee or Trustees, or any other Person or Persons intitled or interested, as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase-money or annual Rent, or such Recompence, as shall be so determined to be paid, or shall, upon Notice in Writing, given to the principal Officer or Officers of such Bodies Politick, Corporate or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier

They are impowered to settle Differences,

If Parties are dissatisfied with the Determination of Commissioners,

Occupier or Occupiers, of such Lands or Grounds, for the Space of twenty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or by reason of Absence shall be prevented from treating, or through Disability, by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for promoting the Navigation and other Works aforesaid, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim therein; then, and in every such Case, the said Commissioners, or any five or more of them, shall, and they are hereby empowered and required, from Time to Time, to issue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *Stafford* for the Time being, or in case such Sheriff, or his Under Sheriff, or either of them, shall happen to be interested in the Matter in question, then to the Coroner or Coroners of the said County of *Stafford*, commanding such Sheriff or Coroner respectively to impanel, summon, and return a Jury; and the said Sheriff or Coroner respectively is hereby required accordingly to impanel, summon, and return a Jury of twenty-four sufficient and indifferent Men, qualified, according to the Laws of this Realm, to be returned for Trials of Issue joined in his Majesty's Courts at *Westminster*, to appear before the said Commissioners, or any five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than nine nor more than twenty Days after such Warrant shall be served upon the said Sheriff or Sheriffs, Coroner or Coroners respectively; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed, as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured, to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners, or any five or more of them, are hereby empowered to summon and call before them all and every such Person or Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question; and the said Commissioners, or any five or more of them, may order and authorise the said Jury, or any six or more of them, to view the Place or Places, or Matters in Controversy, which Jury (upon their Oaths, to be administered by the said Commissioners, or any five of them, and those Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any five or more of them, are hereby empowered to administer) shall inquire of, assess, and ascertain, the Sum or Sums of Money, or annual Rent, to be paid for the Purchase of such Lands or Grounds, or the Recompence to be made for the Damages that may or shall be sustained, as aforesaid; and the said Commissioners, or any five or more of them, shall give Judgment for such Purchase-monies, Rent, or Recompence, so to be assessed by such Juries; which said Verdict, and the Judgment thereupon to be pronounced by the said Commissioners, or any five or more of them, shall be binding and conclusive, to all Intents and Purposes, to all Intents and Purposes, against the King's Majesty, his Heirs and Successors, and against all Bodies Politick, Corporate or Collegiate, and all Persons whomsoever.

Juries shall be impanelled to assess the Purchase-money &c.

VI. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who, in any Examination to be taken by virtue of this Act, shall give false Evidence before the Commissioners, or any five of them, or before any Justices of the Peace, shall and may be prosecuted for the same, and, upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Penalty on giving false Evidence.

VII. And be it further enacted, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of twenty Pounds; and if any Person so summoned, and returned as aforesaid upon such Jury, shall not appear, or appearing, refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing, refuse to be sworn and examined, or to give Evidence, every Person so offending respectively, having no reasonable Excuse, to be allowed by the said Commissioners, or any five or more of them, shall, for every such Offence, forfeit and pay any Sum not exceeding five Pounds; to be levied by virtue of any Warrant or Warrants, under the Hands and Seals of the said acting Commissioners, or any five or more of them, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus to the Owners thereof, after such Penalty, and the Charges of such Distress and Sale, shall be deducted.

Penalties on the Sheriff, Coroner, &c. who shall make Default.

VIII. And be it further enacted, That in all Cases where a Verdict or Assessment shall be given or made for more Monies, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damage to be done to any Lands, Grounds, Hereditaments, or Property, of any Person or Persons whatsoever, than had been previously offered by or on Behalf of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, or than had been determined and assessed by the said Commissioners, that then all the Expences of summoning such Jury, and of taking such Inquest, shall be settled by the said Commissioners, or any five or more of them, and be defrayed by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns; but if any Verdict or Assessment shall be given or made for no more or a less Sum than had been previously offered by or on Behalf of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, or than had been determined and assessed by the said Commissioners, as aforesaid, then, and in every such Case, the Costs and Expences of summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, or any five or more of them, and be borne and paid by the Person or Persons with whom the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall have Controversy or Dispute.

Expences of Juries how to be paid.

IX. And be it further enacted, That all and every Person and Persons making Complaint, and requesting such Jury, shall, before the said Commissioners be obliged to issue out their Warrant or Warrants for the

Persons requesting a Jury, to enter into a

Bond to prosecute.

the summoning such Jury as aforesaid, first enter into a Bond to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, in the Penalty of fifty Pounds, to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for no more or a less Sum than had been offered by or on Behalf of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or than had been assessed by the said Commissioners, before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or Damages, as aforesaid.

Commissioners not to receive Complaints of Injury, unless Application has been made to Sir *Nigel Gresley*, &c. within six Months after committed.

X. And be it further enacted, That the said Commissioners shall not, nor shall any of them, be obliged, by virtue of this Act, to receive, or take Notice of, any Complaint or Complaints to be made by any Person or Persons whatsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue of this Act, unless Application hath been, or shall be, made in relation thereto, by or on Behalf of such Person or Persons, to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, or to their known Agent or Agents, within the Space of six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Upon Payment or Tender of the Monies assessed, Sir *Nigel Gresley* and *Nigel Bowyer Gresley* may cut, dig, &c.

XI. And be it further enacted by the Authority aforesaid, That upon such Sum or Sums of Money, or annual Rent, as shall be contracted or agreed for between the Parties, or to be determined and adjusted by the said Commissioners, or any five or more of them, or assessed by such Juries, in Manner respectively as aforesaid, for the Purchase of any such Lands or Grounds as aforesaid, to the Proprietors thereof, or other Persons intitled to receive such Money or Rent respectively, or legal Tender thereof made to such Proprietor, or other Person or Persons, or to the principal Officer or Officers of any Body Politick, Corporate or Collegiate, at any Time after the same shall have been so agreed for, determined, or assessed; or if he, she, or they, cannot be found, or shall refuse to accept such Money or Rent, upon Payment thereof to such Person or Persons as the said Commissioners, or any five or more of them, shall, by Writing under their Hands, appoint, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Proprietor or Persons respectively as aforesaid; then, and in such Case, such Lands and Grounds respectively, and the Fee-simple and Inheritance thereof, shall from thenceforth be vested in and become the sole Property of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns; and then, but not before, it shall and may be lawful to and for the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, Agents, Workmen, and Servants, immediately to enter upon the same, and to dig, cut, trench, fough, and remove, Earth, Stone, Rubbish, Trees, Roots of Trees, and all other Obstructions, for the making, using, maintaining, and repairing, the said Cut or Canal, and Towing-paths on the Sides thereof, in or upon such Lands, Tenements, or Hereditaments, for which such Satisfaction shall be determined or assessed as aforesaid, and thereupon to make, erect, or do any Works, Matters, or Things, for the effecting and carrying on the said Navigation, and for the supporting and maintaining the same, as the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, shall think requisite, and to have and enjoy the Premises to and for their own Use and Benefit; and this Act shall be sufficient to indemnify, as well the said Commissioners as the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, and their Servants, Agents, and Workmen, for what they, or any of them, shall do by virtue of the Powers hereby granted.

All Determinations of the Commissioners, and also Verdicts, being signed, to be recorded.

XII. And be it further enacted by the Authority aforesaid, That all the Determinations of the said Commissioners, or any five of them, which shall be submitted to, and acquiesced in, by the Parties concerned, and also the said Verdicts and Judgments, being first signed by five or more of the Commissioners who shall be present at the making such Determinations, or the taking of such Verdicts, and pronouncing such Judgments respectively, shall be transmitted to and kept by the Clerk of the Peace for the said County of *Stafford*, and shall be deemed Records, to all Intents and Purposes; 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, as also the Inrolments of such Contracts, Agreements, Sales, and Conveyances, as are herein before mentioned, paying for such Inspection the Sum of one Shilling; and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of Three-pence, and so in proportion for any Number of Words: And immediately on such Payments, and Entry of such Verdicts, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners and Juries, all the Estate, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person and Persons for whose Use such Money or Rent shall be paid into and out of the said Lands, Tenements, Hereditaments, and Premises, shall vest in the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, and they shall respectively be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person, having any Estate in the Premises, had actually conveyed the same to them by Lease and Release, Bargain and Sale inrolled, Feoffment, with Livery of Seisin, Fine, Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder (against the Issue or Issues of such Person and Persons, and all and every other Person and Persons whomsoever), as effectually as a Fine and Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law.

On Payment, and Entry made, Lands to be vested in Sir *Nigel Gresley*, &c.

Purchase-money due to Corporations and Trustees to be laid out to the same Uses.

XIII. And be it further enacted by the Authority aforesaid, That all Sums of Money which are to be paid to any Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbards, Guardians, Committees, or other Trustees whatsoever, for or on Behalf of any Infants, Lunaticks, Idiots, Females-covert, or other Custodians, or to any Person or Persons whose Lands are limited in strict Settlement, for the Purchase or Exchange of any Lands or Grounds

Grounds aforesaid, shall, in case the same exceeds the Sum of twenty Pounds, by such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, seised of Lands or Grounds so limited in strict Settlement, be laid out, as soon as conveniently may be, in the Purchase of Lands, Tenements, and Hereditaments, in Fee-simple, and conveyed to or to the Use of such Bodies Politick or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for such other Person or Persons, and for such Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands or Grounds, for or in respect whereof such Purchase-money or Monies received in Exchange shall be so paid as aforesaid, were limited, settled, and assured, at the Time such Purchase-monies were so agreed for, ascertained, or assessed respectively as aforesaid, or so many of such Uses as shall be then existing and capable of taking Effect; such Conveyances and Settlements, as aforesaid, to be made at the Expence of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns; and in the mean time, and until such Purchase or Purchases shall be made, the said Monies shall be placed out by such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, in some of the publick Funds, or on Government or Real Securities, in the Names of two or more Persons to be nominated by the Party or Parties interested therein, and to be approved by the said Commissioners, or any five or more of them; and the Interest arising or to be produced from such Funds, or such Securities, and also the annual Rent for such Lands, Grounds, Tenements, or Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be paid to such Person or Persons respectively as would, for the Time being, be intitled to the Rents and Profits of such Lands, Tenements, and Hereditaments, so to be purchased and settled, pursuant to the Tenor and Meaning of this Act; and such annual Rent shall be a Rent Charge upon the said Cut or Canal, and the Profits and Produce from thence arising.

XIV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, may, and are hereby impowered to settle what Shares and Proportions of the Purchase-monies, or Recompence for Damages, which shall be so agreed for between the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or any of them, or determined and adjusted by the said Commissioners, or any five or more of them, or assessed by the said Juries in Manner respectively as aforesaid, shall be allowed to any Tenant, or other Person having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interests therein, except in such Cases where the same are herein directed to be laid out and invested in the Purchase of Lands, Tenements, or Hereditaments.

XV. And be it further enacted by the Authority aforesaid, That in Default of Payment of such Sum or Sums of Money, and at such Times, and in such Manner, as shall be assigned and awarded for Damages of any Kind, by virtue of this present Act, by the said Commissioners, or any five or more of them, it shall and may be lawful for the Person or Persons intitled thereto to recover the same, with full Costs of Suit, by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Imparance, shall be allowed.

XVI. Provided always, That in case the Damages and Costs herein before provided to be satisfied shall not be paid and satisfied within the Space of four Calendar Months after the same shall be so determined or assessed as aforesaid, that then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon Complaint made to them by or on Behalf of the Person or Persons sustaining such Damage, to issue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *Stafford*, authorising and impowering him to levy and raise the Damages, so to be determined and assessed, by Distress and Sale of the Goods and Chattels of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, upon the said Navigation, or any of the Wharfs thereto belonging, together with such reasonable Charges as the said Commissioners, or any five or more of them, shall in such Warrant direct and appoint.

XVII. And be it further enacted, That all and every such yearly Rents or Sums as shall be agreed upon, or settled and ascertained as aforesaid, shall be charged and chargeable on the said Cut or Canal, and Profits from thence arising, and shall be paid by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, as the same shall become due and payable; and in case of Nonpayment thereof within twenty-one Days next after the same shall become due, the said yearly Rents or Sums may be sued for and recovered with Costs, by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, or, at the Election of the Parties intitled thereto respectively, may be recovered by Distress and Sale of the Goods and Chattels of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, upon the said Cut or Canal, or the Wharfs thereto belonging, in such Manner as the Law directs in Cases of Distress for Rent.

XVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy, any Banks or other Works to be erected or made by virtue of this Act, such Person or Persons shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person or Persons shall be tried and convicted, shall, and hereby have Power and Authority to transport such Felons for the Space of seven Years to some of his Majesty's Plantations in *America*, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, or, in Mitigation of such Punishment, may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously do any Hurt or Mischief to obstruct, hinder, or prevent the carrying on, completing, or maintaining, the said intended Navigation, or any Works hereby authorized to be made, every Person

Commissioners to settle the Proportion of the Money to be paid to the several Persons interested.

In Default of Payment, how the Monies are to be recovered.

If Costs and Damages are not paid within four Months, the same to be levied by Distress and Sale.

Annual Rents to be paid out of the Profits of the Canal. In case of Nonpayment, how to be recovered.

Persons destroying the Banks, or other Works, to be transported.

Persons obstructing the Works, forfeit &c.

so offending shall forfeit any Sum not exceeding five Pounds, nor less than forty Shillings, or shall be committed to the House of Correction for the said County of *Stafford* for any Time not exceeding one Calendar Month, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

Coals, &c. found in digging the Canal, may be taken by the Proprietors of the Lands.

XX. Provided always, and be it further enacted, That all Lime and other Stone, Clay, Marl, Coals, and other Minerals, which shall be found and dug up in making, carrying on, and completing, the said Cut or Canal, or any other Works hereby authorised to be made, carried on, and completed, shall be laid upon the Surface of the Lands, in some convenient Place near the said Works, at the Expence of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, save and except such Lime and other Stone, Clay, and Marl, as shall be used in and about the Works of the said Canal; and it shall and may be lawful to and for the Person or Persons respectively, in whose Lands and Grounds the said Lime and other Stone, Clay, Marl, Coals, and other Minerals, shall be found and dug up, or other Person or Persons intituled thereto, to take, carry away, and dispose of the same (save as aforesaid) to and for his and their own Use and Benefit.

Where Cattle are deprived of Watering-places, others to be provided.

XXI. And be it further enacted by the Authority aforesaid, That where, by means of making the said navigable Cut or Canal, any Cattle which used to depasture in the adjacent Lands or Grounds shall be deprived of their usual Watering-places, then, and in such Cases, the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall, at their own proper Costs and Charges, set out and provide proper and convenient Places, in the Lands adjoining to the said navigable Cut or Canal, for Cattle to water at, in every such Ground where they were heretofore accustomed to drink and water as aforesaid, and to supply the said Watering-places with Water from and out of the said Cut or Canal, if necessary.

Sir Nigel Gresley, &c. to fence off Towing-paths from adjoining Lands,

XXII. And be it further enacted, That the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall, at their own proper Costs and Charges, divide and separate the Towing-paths on the Side or Sides of the said Cut or Canal, and navigable Trenches and Passages, or such Part or Parts thereof as shall be found necessary by the said Commissioners, or any five or more of them, from the Lands and Grounds adjoining to such Towing-paths, with a sufficient Post and Rail, Hedge, Ditch, Trench, Bank, or other Fence, sufficient to keep in Sheep and other Cattle, to be set and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in them, as aforesaid, and shall, at their own Costs and Charges, maintain and support the same; and also shall, at their own Costs and Charges, make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them so made on the Side of such Towing-paths as aforesaid, and also such Bridges, Fords, and Passages, over, under, or through the said Cut or Canal, and the said Trenches, Streams, and Watercourses, of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall, from Time to Time, judge necessary and appoint, for the Use of the Owners and Occupiers of the Lands and Grounds, or Hereditaments, adjoining to such Cut or Canal, Trenches, Streams, Watercourses, and Towing-paths, or any of them respectively; and the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, shall not make the said Cut or Canal, or any Trench or Watercourse, or any Part thereof, in or across any Common Highway, publick Bridleway, or Foot-path, until such Time as they shall, at their own proper Charges, have made and perfected such Bridge or Bridges over, or convenient Passages through, or Arch or Arches under, the said Places where the said Cut, Canal, Trench, or Watercourse respectively, shall be intended to be made for such Road, Way, or Path, of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall adjudge proper; and all such Bridges, Arches, Fords, and Passages, so to be made, shall, from Time to Time, be supported, maintained, and kept in sufficient Repair, by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns.

and erect Bridges, &c. at their own Expence.

No Cut, &c. to be made across any Highway till convenient Passages be made.

In case of Failure, the Land Owners may fence off Towing-paths, &c.

XXIII. And be it further enacted, That in case the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or their Agents, shall fail or neglect to make, erect, and set up, such Gates, Bridges, and Stiles, in and over the Fences on the Sides of the said Towing-paths, or such Bridges, Arches, and Passages, over, under, or through the said Cut or Canal, and the said Trenches, Streams, and Watercourses, as aforesaid; or to make such Watering-places for Cattle, as herein before directed, for the Use and Convenience of the respective Owners or Occupiers of the Lands adjoining thereto, and of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall, from Time to Time, direct or appoint; or to maintain and support such Bridges, Arches, and Watering-places, when erected, set up, or made, for the Space of three Calendar Months next after the Times to be appointed for those Purposes by the said Commissioners, or any five or more of them; then, and in every such Case, it shall and may be lawful to and for every or any of the said Owners or Occupiers of the said adjacent Lands or Grounds, who shall find themselves or himself aggrieved by any such Failure or Neglect, to make, erect, and set up all such Gates, Stiles, Bridges, Arches, Passages, and Watering-places, as the said Commissioners, or any five or more of them, shall have before directed or appointed to be made, erected, and set up, by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, as aforesaid, and to maintain, repair, and support the said Bridges, Arches, and Watering-places, from Time to Time, as Occasion shall require; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Commissioners, or any five or more of them, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, who shall have so made and erected the said Gates, Stiles, Bridges, Arches, Passages, and Watering-places, or have repaired and maintained the same as aforesaid, by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, within the Space of twenty Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof: And in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners, or any five or more of them, shall, and they are hereby

hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, in or upon the said Cut or Canal, or the Wharfs adjoining or near the same, to and for the Use of such Person or Persons who shall have so laid out and expended the same as aforesaid, rendering to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or to some of their Agents, the Overplus (if any such there be), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners, or any five or more of them; otherwise, every or any of the said Owners or Occupiers of Lands, who shall have made, erected, set up, maintained, or repaired, any such Gates, Stiles, Bridges, Arches, or Watering-places, as aforesaid, upon the Failure or Neglect of the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, doing the same, or paying the said Costs and Charges as aforesaid, shall and may have such and the like Remedy against the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, for the Recovery of such Costs and Charges, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act directed.

How the Expence may be recovered, in case of Nonpayment.

XXIV. And be it enacted, That if the Owners or Occupiers of any Lands, through which the said intended Cut or Canal shall be made, do or shall, at any Time or Times hereafter, find, upon Experience, that the several Gates, Stiles, Bridges, Arches, Passages, and Watering-places, which the said Commissioners, or any five or more of them, shall have limited or directed to be made by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, in, upon, or over and under the said Cut or Canal, or the Towing-paths thereof, are insufficient, either in Number or Situation, for the commodious Use or Occupation of their respective Lands and Grounds, on both Sides, or on either Side, of the said Cut or Canal; that then, and so often, or in any such Case, it shall and may be lawful to and for every or any such Owners or Occupiers of the said Lands for the Time being, to make, fix, and erect, at their own Costs and Charges, one or more Gate or Gates, Stiles, Bridges, Arches, Passages, or Watering-places, of the same or the like Construction with others made and erected by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, on, in, over, or near the said Cut or Canal, or Towing-paths thereof, in such Places as shall be found and adjudged most necessary and convenient, for the better Use, Cultivation, Improvement, or Occupation thereof, and to repair and support the same at their own like Costs and Charges, as Occasion shall require, so as the Navigation of, in, or upon the said Cut or Canal, be not prevented or obstructed thereby, for any longer Space of Time, or in any other Manner, than the same will be necessarily by any of the other Gates, Stiles, or Bridges, to be made or erected in or over the said Cut or Canal by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, as aforesaid, and so as no Damage or Injury be thereby done to any of the Works of the said Navigation.

Owners of Lands empowered to make Bridges at their own Expence.

XXV. Provided also, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons owning or occupying any Lands or Grounds, adjoining or lying near to the Lands or Grounds which shall be had or taken for or upon account of making the said Cut or Canal, or any Part thereof, or any other the Purposes herein before mentioned, to have and use any Boats or Vessels for the Carriage or Conveyance of any Dung, Marl, or other Manure, upon the said Cut or Canal, or any Part thereof, to and from such his, her, or their Lands or Grounds, for the Improvement thereof, without paying any Toll, Rate, or Duty whatsoever, to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or any of them, for the same; and for that Purpose to have free Liberty to make use of the Towing-paths, Wharfs, or Quays, belonging to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, such Person or Persons not suffering such Dung, Marl, or Manure, to lie upon such Wharfs or Quays longer than may be necessary for loading, unloading, and conveying the same, to and from such his, her, or their Lands or Grounds, and making good any Damages that may be done to the Sides or Banks of the said Cut or Canal, or any Part thereof, by the loading, unloading, or discharging, any such Boats or other Vessels; which Recompence and Satisfaction, in case of any Difference, shall be settled and ascertained by the said Commissioners, or any five or more of them.

Owners or Occupiers of Lands may use Boats for carrying Manure without paying Toll.

XXVI. Provided always, and be it enacted by the Authority aforesaid, That the said Cut or Canal, or any Works whatsoever, to be made by virtue of the Powers of this Act, shall not be subject to the Controul, Direction, Survey, or Order, of any Commission of Sewers, or to any Law or Statute relating to Sewers; any other Law or Statute to the contrary hereof notwithstanding.

Canal not subject to the Power of Commissioners of Sewers.

XXVII. And, for continuing a sufficient Number of Commissioners for putting this Act in Execution, be it enacted by the Authority aforesaid, That when any of the Commissioners hereby appointed, or to be elected in Manner herein after mentioned, shall die, or refuse to act, the surviving or remaining Commissioners, or any five or more of them, shall, and they are hereby empowered, from Time to Time, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commissioner so dying or refusing to act, some other Person, qualified as herein after mentioned; and all such Commissioners so appointed shall, from the Time of their Appointment, have the like Authority, in all Things relating to the Execution of this Act, as if they had been expressly named and appointed Commissioners in this Act; Notice of the Time, Place, and Purpose of such Meetings, being given fourteen Days at least before all such Meetings.

Manner of electing new Commissioners.

XXVIII. And be it further enacted by the Authority aforesaid, That no Person shall act as a Commissioner in any Case where he shall be any ways interested or concerned in the Matter in question; and that no Commissioner herein before appointed, or who shall be elected by virtue of this Act, shall act as a Commissioner, unless he shall be seised in his own Right, or in the Right of his Wife, and not as a Mortgagee or Mortgagees, at the Time of such his acting, of an Estate of Freehold or Copyhold, in Lands, Tenements, and Hereditaments, of the clear yearly Value of one hundred Pounds, over and above

Qualification of Commissioners.

what:

Penalty on Persons acting if not qualified.

No Person to act as Commissioner till he take and subscribe the following Oath.
The Oath.

Commissioners who are Justices may act as such in the Execution of this Act.

On Application of Land Owners, &c. Commissioners may meet for the Purposes of the Act.

Meetings may be called at any Time by five Commissioners.

No Meeting of Commissioners to be effectual, unless Notice, &c. be given.

All Meetings to be held within

what is sufficient to pay off all his just Debts (unless he shall be the eldest Son or Heir-apparent of a Peer of the Realm, or of a Person qualified to be elected and serve as a Knight of the Shire for that Part of Great Britain called England): And if any Person hereby declared incapable to act as a Commissioner, shall nevertheless presume to act as such, every such Person so offending shall, for every such Offence, forfeit the Sum of fifty Pounds, to any Person who shall sue for the same; to be recovered, with full Costs of Suit, by Action at Law, in any of his Majesty's Courts of Record at *Westminster*, in which Action no Essoin, Protection, Privilege, Wager of Law, or more than one Imparance, shall be allowed; and such Person so prosecuted shall prove that he is qualified as before mentioned, or otherwise shall pay the said Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act.

XXIX. Provided always, That no Person shall act as Commissioner in any Case (except in administering the following Oath) until he shall have taken and subscribed the Oath following, before any five or more of the said Commissioners (who are hereby authorized and impowered to administer the same to any other of the Commissioners;) *videlicet*,

‘ I *A. B.* do swear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Judgment, execute and perform the Powers and Authorities vested in me, by an Act made in the fifteenth Year of the Reign of his Majesty King *George the Third*, for making and maintaining a navigable Canal from certain Coal Mines in *Apedale* to *Newcastle under Lyme*, in the County of *Stafford*.

‘ So help me GOD.’

XXX. Provided always, That such Commissioners who are Justices of the Peace for the said Borough of *Newcastle under Lyme*, or who are or shall be in the Commission of the Peace for the said County of *Stafford*, shall and may, and they are hereby respectively impowered to act as Justices of the Peace in the Execution of this Act, within the Limits of their respective Jurisdictions, notwithstanding their being Commissioners.

XXXI. And be it further enacted by the Authority aforesaid, That upon an Application to be made by the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, or by any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the said intended navigable Cut or Canal, or any of the Works necessary or relating thereto, unto the Commissioners appointed by and for the Purposes of this Act, or any five or more of them, desiring them to appoint a General Meeting of the Commissioners, the Commissioners so applied to, or any five or more of them, may and shall, and they are hereby respectively authorized and required, within seven Days after such Request or Application made, to give Notice, in Manner hereby directed, of a General Meeting, to be held at such Time and Place as shall be specified in such Notice (such Time not being less than fourteen Days, or more than twenty-one Days, from the Day on which such Request shall be made to them as aforesaid); and the said Commissioners are hereby authorized, impowered, and required, to assemble at the Time and Place so to be appointed, in order to put this present Act, and the Powers and Authorities hereby given to and vested in them, in Execution; and shall then adjourn themselves, and afterwards meet at such Place as the said Commissioners there assembled, or any five or more of them, shall think proper and convenient; and if it shall happen that there shall not appear, at any Meeting which shall be appointed to be had or held by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Time, then, and from Time to Time, as often as the Case shall happen, they shall be deemed adjourned until that Day three Weeks, at the same Place where the Meeting was last held; and all Meetings of the said Commissioners by virtue of this Act shall be publick; and the Majority of the said Commissioners present at every such Meeting (such Majority not being less than five in Number of the said Commissioners), shall have Power and Authority to execute the Powers hereby vested in the said Commissioners, but not otherwise; any Thing herein contained to the contrary thereof in any wise notwithstanding.

XXXII. Provided nevertheless, and be it further enacted, That it shall and may be lawful for any five or more of the said Commissioners, and they are hereby impowered, although they shall not be assembled at a Meeting to be held by virtue of this Act, from Time to Time, and at all Times, upon such Request made as aforesaid, by Notice in Writing, signed by them, and published in Manner hereby directed, to summon a Meeting of the said Commissioners, at such Time and Place as shall be mentioned in such Notices, for the settling and ascertaining such Damages as are herein directed to be settled and ascertained, notwithstanding any Adjournment or Non-adjournment of the said Commissioners.

XXXIII. Provided always, That no Meeting of the said Commissioners shall be good or effectual for any of the Purposes of this Act, unless previous Notice of the Time and Place thereof, and the Business proposed to be done, under the Hand of the Clerk for the Time being attending the said Commissioners, shall be published in the *Birmingham* or other News-paper circulated in the said County of *Stafford*, at least fourteen Days before every such intended Meeting of the said Commissioners, unless the Business to be transacted at any Meeting, of which such Notice has been given as aforesaid, shall not be concluded on the Day mentioned in such Notice; in which Case the Commissioners, or any five or more of them, may, from Time to Time, adjourn to the succeeding Day, or, if such Day be *Sunday*, the Day after, and in like Manner from Day to Day, and may meet again at the same or any other convenient Place, and proceed in such Business, until the same is finished, without any Notice to be given of the Meetings held by such last-mentioned Adjournments.

XXXIV. Provided also, That every Meeting of the Commissioners for hearing or determining any Complaint, Controversy, Dispute, or Difference, between the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*,

Gresley, their Heirs or Assigns, and any other Person or Persons, shall be held at some Place within five Miles of the Place where such Complaint or Dispute arises.

XXXV. And be it further enacted, That all the Orders and Proceedings of the said Commissioners shall be regularly entered in a Book or Books to be kept for that Purpose, and such Entries, being signed by such Number of the said Commissioners as are impowered by this Act to make such Orders, or carry on such Proceedings, shall be deemed Originals, and be admitted in Evidence in all Courts whatsoever; and the said Commissioners, or any five or more of them, may appoint such Person, out of three to be nominated by the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, as they shall think proper, as a Clerk, and from Time to Time to remove any Person, and appoint another out of three to be nominated as aforesaid, in his Stead; which Clerk shall be paid, for his Care and Trouble in the Execution of such Office, by the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns.

XXXVI. And be it further enacted and declared, That the Owner or Owners of such Lands or Grounds through which the said Cut or Canal shall be made, shall have and be intitled to the sole, several, and exclusive Right of Fishery, of and in so much of the said Cut or Canal, Trenches or Sluices, as shall be made in, over, or through his, her, or their Lands or Grounds respectively, so as in the Use or Exercise of the said Right of Fishery, the said navigable Cut or Canal, Trenches or Sluices, and the Towing-paths, Banks, or other Works and Conveniencies, hereby authorized to be made, shall not be prejudiced or obstructed, or any Water drained or exhausted from or out of the said Cut or Canal, Trenches or Sluices, and so as the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, or their Agents, Servants, or Workmen, or any of them, shall not be liable to any Penalty, Action, or Prosecution, for or by reason of the taking or destroying of any Fish in the said Cut or Canal, Trenches or Sluices, which shall be taken, killed, or destroyed, through or by means of the letting off the Water out of the said Cut or Canal, Trenches or Sluices, for or upon account of any Repairs or Works to be done in or about the same, any Thing herein contained to the contrary notwithstanding.

XXXVII. And be it also enacted by the Authority aforesaid, That if the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, shall be in Possession of any Lands or Grounds, by virtue of this Act, for the Space of ten Years, without making the said intended Navigation through the same respectively; or if the said Navigation shall be made and completed, and afterwards discontinued or disused for the Space of five Years; then, and in either of the said Cases, from and immediately after the Expiration of the said ten Years without making, or five Years after disusing, the said Navigation, as aforesaid, the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, shall convey all their Right, Property, and Interest, in or to such Lands or Grounds respectively, unto the several and respective Persons or Bodies Politick, Corporate or Collegiate, or their Heirs, Successors, or Assigns, who were the Owners or Proprietors thereof immediately before the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, became seized of the same, in case they or any of them shall think fit to become Purchasers thereof, and to pay such valuable Consideration for the said Lands and Grounds to the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, as the said Commissioners, or any five or more of them, shall adjudge reasonable; and in case any Difference shall happen in ascertaining thereof by the said Commissioners, then as any Jury, to be impanelled in the Manner herein before directed, shall ascertain or award to be paid for the same; (provided that such Consideration, to be ascertained by the said Commissioners, or to be awarded by such Jury, so to be impanelled as aforesaid, shall not exceed the Sum or Sums of Money first paid by the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, for the Purchase of such Lands or Grounds:) And in case the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, upon the Payment or Tender of such valuable Consideration as aforesaid for such Lands or Grounds, shall refuse or neglect to convey the same as aforesaid; then, and in such Case, such Lands and Grounds, upon Tender of such valuable Consideration as aforesaid to the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall revert to and be from thenceforth vested in the said several and respective Person or Persons, Bodies Politick, Corporate or Collegiate, their Heirs, Successors, or Assigns; and in case an annual Rent shall have been paid for the said Lands or Grounds, to be taken in Manner aforesaid, for the Use of the said Navigation, then such Rent shall cease and determine, and such Sum or Sums of Money shall be paid for Damages done to the said Lands or Grounds by the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, to the Person or Persons, Bodies Politick, Corporate or Collegiate, or their Heirs, Successors, or Assigns, to whom such Lands or Grounds shall be reconveyed or revert as aforesaid, as the said Commissioners or Jury respectively shall ascertain or award; such Sum or Sums of Money, in Default of Payment at the Time to be fixed by such Commissioners or Jury respectively, and to be recovered in such Manner as any other Damages are to be recovered by virtue of this Act.

XXXVIII. And be it further enacted by the Authority aforesaid, That for and during the Term of twenty-one Years, to be computed from the Time the said Cut or Canal shall be completed, no Coals whatsoever, that shall be brought out of or from any Coal Mines now belonging, or which may at any Time or Times hereafter belong, to the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, or either of them, their or either of their Heirs or Assigns, upon the said Cut or Canal, or any Part thereof (Cannel Coals excepted), shall be sold to any Inhabitant or Inhabitants of the Town of *Newcastle under Lyme* aforesaid, to be used and consumed within the said Town, or to any of the Inhabitants of that Part of the Parish of *Stoke upon Trent* which adjoins to *Newcastle Mill Pool*, for their own Use and Consumption, for any greater Price than five Shillings for each Ton or twenty hundred Weight (each hundred Weight to consist of six Score Pounds Avoirdupoise, and to be weighed at the Expence of the said *Sir Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns); nor for any greater Price than five Shillings and Sixpence for each such Ton, for the further Term of twenty-one Years, to commence from and after the Expiration of the said first-mentioned Term, and so in proportion for any greater or less Quantity than a Ton (not less than

five Miles where any Dispute arises.

Proceedings of the Commissioners to be entered in a Book.

A Clerk to be appointed.

Saving Clause respecting the Right of Fishery.

If Lands be not used within a certain Time for the Purposes of the Act, they are to be reconveyed.

Inhabitants of Newcastle under Lyme are to be supplied with Coals for twenty-one Years, at 5s. a Ton, and for twenty-one Years more, at 5s. 6d.

than one hundred Weight): And if any Person or Persons whatsoever shall take or receive any greater Price or Prices respectively than as before mentioned from any such Inhabitant (knowing him to be such) for any such Coals to be used and consumed as aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of five Pounds; to be recovered, levied, and applied, in the Manner herein after mentioned: And if the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs or Assigns, shall, at any Time hereafter, during the respective Terms aforesaid, neglect to find and provide, on the Wharf of the said Cut or Canal, at the Termination thereof, within or near to the said Town of *Newcastle under Lyme*, a Supply of Coals sufficient for all and every the Inhabitants of the said Town, to be used and consumed in their own Houses, Outhouses, and Buildings, as aforesaid, at the respective Rates and Prices aforesaid, for the Space of one Calendar Month together (unless hindered or prevented by inevitable Accidents in working the said Coal Mines, or by Frosts); then, and in such Case, the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, shall, for every such Offence, forfeit and pay the Sum of forty Pounds; to be recovered, levied, and applied, in Manner herein after mentioned: And if any Person or Persons shall, at any Time hereafter, take the Benefit, or claim or demand the Benefit of the Provision herein before made for the Inhabitants of the said Town of *Newcastle under Lyme*, or the said Part of the Parish of *Stoke upon Trent*, not being thereunto intitled, every such Person shall, for every such Offence, forfeit and pay the Sum of five Pounds, to be also recovered, levied, and applied, in Manner herein after mentioned.

Penalty 401. on Failure of a sufficient Quantity of Coals.

Proviso respecting the Purchase of a less Quantity than a Ton.

Proviso with respect to raising the Coals to 6s. per Ton during the second Term.

Writings not to be charged with Stamp-duties.

Proceedings not to be quashed for want of Form.

Fines and Forfeitures how to be recovered and applied.

How Justices may proceed for the Conviction of Offenders.

Form of Conviction.

XXXIX. Provided always, That in case any such Inhabitant shall, at any Time during the said last-mentioned Term of twenty-one Years, require to buy any less Quantity of Coals than a Ton, that it shall and may be lawful to and for the said Sir *Nigel Gresley* and *Nigel Bowyer-Gresley*, their Heirs or Assigns, to take and receive for the same after the Rate of Three-pence Halfpenny for every hundred Weight, consisting as aforesaid.

XL. Provided also, That in case it shall at any Time hereafter, during the said second Term, be made appear to the said Commissioners, or any seven or more of them, at a Meeting for that Purpose assembled, of which twenty Days Notice shall be given, in Manner herein after mentioned, specifying the Intent of such Meeting, that the aforesaid Price of five Shillings and Sixpence a Ton shall, by the Advance of Labour, or other unforeseen Accidents, be insufficient to answer the Expence of getting, carrying, and vending, the said Coals, and a reasonable Profit to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns; then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any seven or more of them, at such Meeting assembled, to give Power and Authority to the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, to demand and take for such Coals as aforesaid any Sum not exceeding six Shillings a Ton, consulting as aforesaid, and so in proportion as aforesaid; and after such Power and Authority given, it shall and may be lawful to and for the said Sir *Nigel Gresley* and *Nigel Bowyer Gresley*, their Heirs and Assigns, to take and receive such Price or Sum as shall be so authorized, any Thing herein before contained to the contrary notwithstanding.

XLI. And be it further enacted by the Authority aforesaid, That no Summons, Order, Determination, Judgment, Warrant, Contract, Agreement, Bond, or other Writing whatsoever, under the Hands, or under the Hand and Seal, of any Justices of the Peace, or of the said Commissioners, or any of them, or any other Person or Persons appointed or employed by them, or other Writing whatsoever, made in pursuance of the Powers given in and by this present Act, shall be charged or chargeable with any Stamp or other Duty whatsoever; and that no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for want of Form, or removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

XLII. And be it further enacted, That all Fines and Forfeitures inflicted by this Act, the levying and recovering of which said Fines and Forfeitures are not herein before particularly directed, shall be levied by Warrant, under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace of the said Borough of *Newcastle under Lyme*, or of the said County of *Stafford* respectively (which said Justice or Justices is and are hereby authorized to hear and examine Witnesses upon Oath, and determine the same, and may, according to his or their Discretion, mitigate any Fine or Forfeiture herein before imposed or inflicted); and all such respective Fines, Forfeitures, and Penalties, by this Act imposed and inflicted, the Application whereof is not herein before particularly directed, shall be paid into the Hands of the said Commissioners, or any five or more of them, or to their Clerk, and shall be applied in Manner following, (that is to say) Two third Parts thereof for the Maintenance and Relief of the Poor of the Parish of *Newcastle under Lyme* aforesaid, and the remaining third Part thereof for the Maintenance and Relief of the Poor residing within the Manor of *Apedale* aforesaid; and in Default of Payment of any of the said Fines, Forfeitures, and Penalties, inflicted by this Act, or if no sufficient Distress can be found to answer the same, the Person or Persons offending, and liable to such Forfeitures, shall, by Warrant or Warrants of one or more Justice or Justices of the Peace for the said County of *Stafford*, or the said Borough of *Newcastle under Lyme* respectively, be sent to the House of Correction for such County or Borough respectively, there to be kept in hard Labour for any Space of Time such Justice or Justices shall direct, not exceeding three Calendar Months, or until Payment of such Forfeitures.

XLIII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and 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; *videlicet*,

BE it remembered, That on the _____ Day of _____ in the Year of our Lord
 A. B. is convicted before me C. D. one of his Majesty's Justices of the Peace for the Borough of
Newcastle under Lyme, or for the County of *Stafford*, [specifying the Offence, and Time and Place when
 and

' and where the same was committed, as the Case shall be]. Given under my Hand and Seal the Day and Year aforesaid.

XLIV. And be it further enacted by the Authority aforesaid, That where any Distress shall be made, or any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for want of Form.

XLV. Provided always, That any Person or Persons thinking himself, herself, or themselves aggrieved by the Order or Determination of any Justice or Justices of the Peace, or by the Order or Determination of any of the said Commissioners, or by any other Order, Act, Matter, or Thing, done or executed in pursuance of this Act, may, within six Calendar Months after such Order, Matter, or Thing, shall have been made, done, or executed, and Notice given, complain to the Justices of the Peace, at their General Quarter Sessions of the Peace to be held for the said County of *Stafford*; who, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may order such further Satisfaction to be made to the Party or Parties injured, as they shall think reasonable.

Persons thinking themselves aggrieved may appeal to the Quarter Sessions.

XLVI. And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be brought or commenced against any Person or Persons, for any Thing done, or to be done, in pursuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions, herein before given or granted, every Suit or Information shall be brought or commenced within six Calendar Months next after the Fact committed, or, in case there shall be a Continuation of Damages, then within six Calendar Months next after the doing or committing such Damages shall cease, and not afterwards; and shall be laid and brought in the County where the Matter in Dispute shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to have been so done, or if any Action, Suit, or Information, shall be brought after the Time so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then, and in such Case, the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared; or if a Verdict shall pass against the Plaintiff or Plaintiffs; the Defendant or Defendants shall have double Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Limitation of Actions.

General Issue.

Double Costs.

XLVII. And be it further enacted by the Authority aforesaid, That this Act shall be allowed in all Courts whatsoever as a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice of it as such, without specially pleading the same.

Publick Act.

C A P. XVII.

An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors. *Further Time given for these Purposes, to 25th December, 1776.*

C A P. XVIII.

An Act to restrain the Trade and Commerce of the Colonies of *New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina*, to *Great Britain, Ireland, and the British Islands* in the *West Indies*, under certain Conditions and Limitations.

WHEREAS by an Act, made in the twelfth Year of the Reign of King *Charles the Second*, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*; and by several subsequent Acts of Parliament, which are now in Force, it is, amongst other Things, enacted, That for every Ship or Vessel which shall load any Commodities, in those Acts particularly enumerated, at any *British* Plantation, being the Growth, Product, or Manufacture thereof, Bonds shall be given, with one Surety, to the Value of one thousand Pounds, if the Ship be of less Burthen than one hundred Tons, and of the Sum of two thousand Pounds, if the Ship be of greater Burthen, that the same Commodities shall be brought by such Ship or Vessel to some other *British* Plantation, or to some Port in *Great Britain*: And whereas, by several other Acts of Parliament which are now in Force, no Commodities of the Growth, Product, or Manufacture, of *Europe* (except Salt for the Fisheries, Wines of the *Maderas* and *Azores* and *Western Islands*, and Victual and Linen Cloth from *Ireland*, under the Restrictions in such Acts particularly mentioned), can be imported into any Plantation, Colony, Territory, or Place, belonging to his Majesty, in *Asia, Africa, or America*, but what shall be *bona fide*, and without Fraud, laden and shipped in *Great Britain*, and carried directly from thence: And whereas,

Preamble. Clause in Act 12 Car. II. recited.

‘ during the Continuance of the Combinations and Disorders, which at this Time prevail within the Colonies of *New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina*, to the Obstruction of the Commerce of these Kingdoms, and other his Majesty’s Dominions, and in Breach and Violation of the Laws of this Realm, it is highly unfit that the Inhabitants of the said Colonies should enjoy the same Privileges of Trade, and the same Benefits and Advantages to which his Majesty’s faithful and obedient Subjects are intitled;’ 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 twentieth Day of *July* one thousand seven hundred and seventy-five, and during the Continuance of this Act, no Goods, Wares, or Merchandises, which are particularly enumerated in and by the said Act made in the twelfth Year of King *Charles the Second*, or any other Act, being the Growth, Product, or Manufacture, of the Colonies of *New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina*, in *North America*, or any or either of them, are to be brought to some other *British* Colony, or to *Great Britain*; or any such enumerated Goods, Wares, or Merchandise, which shall at any Time or Times have been imported or brought into the said Colonies, or any or either of them, shall be shipped, carried, conveyed, or transported, from any of the said Colonies respectively, to any Land, Island, Territory, Dominion, Port, or Place whatsoever, other than to *Great Britain*, or some of the *British* Islands in the *West Indies*, to be laid on Shore there; and that no other Goods, Wares, or Merchandises whatsoever, of the Growth, Product, or Manufacture of the Colonies herein before mentioned, or which shall at any Time or Times have been imported or brought into the same, shall, from and after the said twentieth Day of *July*, and during the Continuance of this Act, be shipped, carried, conveyed, or transported, from any of the said Colonies respectively, to any other Land, Island, Territory, Dominion, Port, or Place whatsoever, except to the Kingdoms of *Great Britain or Ireland*, or to some of the *British* Islands in the *West Indies*, to be laid on Shore there; any Law, Custom, or Usage, to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That from and after the said twentieth Day of *July*, before any Ship or Vessel shall lade or take on Board any Goods, as aforesaid, in any or either of the Colonies before mentioned, sufficient Bond, with one Surety, besides the Master of such Ship or Vessel, shall be given to the Collector, or other principal Officer of the Customs at the Port or Place where such Goods are intended to be laden or taken on Board, in the Penalty of one thousand Pounds if the Ship be of less Burthen than one hundred Tons, and of the Sum of two thousand Pounds if the Ship shall be of that or any greater Burthen; with Condition, that such enumerated Goods shall not be landed or put on Shore at or upon any other Land, Island, Territory, Dominion, Port, or Place whatsoever, except some Port or Place within the Kingdom of *Great Britain*, or some of the *British* Islands in the *West Indies*; and that all other Goods, Wares, or Merchandises, so intended to be laden as aforesaid, shall not be landed or put on Shore at or upon any Land, Island, Territory, Dominion, Port, or Place whatsoever, other than and except some Port or Place within the Kingdoms of *Great Britain or Ireland*, or some of the *British* Islands of the *West Indies*; and with further Condition, to bring a Certificate in Discharge thereof, within eighteen Months from the Date of such Bond, for such of the said Goods as shall be entered for, or landed in, *Great Britain or Ireland* respectively; and within six Months for such of the said Goods as shall be entered for, or landed in, any of the *British* Islands in the *West Indies*; which respective Certificates shall be under the Hands and Seals of Office of the Collector and Comptroller, or other Principal Officer of the Customs, resident at the Port or Place where such Goods shall be landed, testifying the Landing thereof; or such Bond or Bonds shall and may be discharged by Proof upon Oath, made by credible Persons, that the said Goods were taken by Enemies, or perished in the Seas.

III. And it is hereby further enacted by the Authority aforesaid, That where any such Bond or Bonds shall be given as aforesaid, in pursuance of this Act, the Collector, or other Principal Officer of the Customs, to whom such Bond or Bonds shall have been given, shall deliver, under his Hand and Seal of Office, without Fee or Reward, to the Master of the Ship or Vessel taking in such Goods, for the Security of her Navigation, a Certificate that such Bond or Bonds hath or have been given, expressing therein the Quantity and Species of the Goods, with the Marks and Numbers of the Packages, and the Port or Place for which they were entered; and if any such Goods shall be laden on Board any such Ship or Vessel, in any of the Colonies in this Act before mentioned, before such Bond or Bonds shall be given, or shall be found on Board any Ship or Vessel without the Certificate herein before directed, that such Bond or Bonds hath or have been given, the Goods so laden, together with the Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel and Furniture, shall be forfeited; and if any Goods, so laden as aforesaid, shall be landed or discharged at any Port or Place contrary to the Intent and Meaning of this Act, over and above the Penalty of the Bond or Bonds, the Shipper and Owner of such Goods, and the Master or Person taking Charge of the Vessel on Board which they were laden, shall respectively forfeit the full Value of the Goods so landed or discharged, to be estimated according to the highest Price or Value which such Sort of Goods bear in the Colony where, and at the Time when, they were shipped and laden; which Ship and Goods may be seized and prosecuted, or the Value of such Goods prosecuted for, by any Admiral, Chief Commander, or Commissioned Officer, of his Majesty’s Fleet or Ships of War, or by any Officer of his Majesty’s Customs, in the Manner herein after directed.

IV. And it is hereby further enacted by the Authority aforesaid, That from and after the first Day of *September* one thousand seven hundred and seventy-five, and during the Continuance of this Act, no Sort of Wines, Salt, or any Goods or Commodities whatsoever (except Horses, Vi&ual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence), shall be imported into any of the said Colonies herein before respectively mentioned, upon any Pretence whatsoever, unless such Goods shall be *bona fide*, and without Fraud, laden and shipped in *Great Britain*, and carried directly from thence, upon Forfeiture thereof, and of the Ship or Vessel on Board which such Goods shall be laden; and it shall

After July 20, 1775, no Goods, Wares, &c. enumerated in and by Act 12 Car. II. being of the Growth, Product, &c. of New Jersey, &c. are to be brought into some other British Colony, or into Great Britain; and no other Goods of the Manufacture of the Colonies mentioned, are to be transported to any other Place except to Great Britain or Ireland, &c.

Bonds, with Sureties, to be given, besides the Shipmaster’s, before taking on Board any Goods of the Growth, &c. of said Colonies.

Shipmasters to deliver Certificates of the due landing of Goods, which are to be signed by the Collector at the Port where landed.

After Bonds have been delivered, Collector to certify the same.

Goods laden on Board before Bond given, or without Certificate, are to be forfeited, with the Ship, &c.

After Sept. 1, 1775, certain Goods prohibited to be brought into the Colonies, unless without Fraud shipped from Great Britain.

be lawful for any Admiral, Chief Commander, or Commissioned Officer of his Majesty's Fleet or Ships of War, or any Officer of his Majesty's Customs, to seize any Ship or Vessel arriving at any of the said Colonies before mentioned, or which shall be discovered within two Leagues of any Shore thereof, having such Goods on Board, and the Goods laden thereon (except as before excepted), for which the Master, or other Person taking Charge of such Ship or Vessel, shall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majesty's Customs, certifying that the said Goods were laden on Board the said Ship or Vessel in some Port of *Great Britain*, any Law, Custom, or Usage, to the contrary notwithstanding.

V. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to prohibit the Exportation or carrying out from any of the Colonies before mentioned, or the Importation into the same, of any Goods or Commodities whatsoever, for the victualling or providing any of his Majesty's Ships of War, or other Ships or Vessels in his Majesty's Service, or for his Majesty's Forces, Forts, or Garrisons; any Thing herein contained to the contrary notwithstanding.

VI. And provided also, That nothing herein contained shall extend, or be construed to extend, to hinder or restrain the lawful Importation into any or either of the said Colonies herein before mentioned, from any of the *British* Islands in the *West Indies*, of any such Goods or Commodities, being the Growth or Produce thereof, as may now by Law be imported from thence into the said Colonies, or any or either of them.

VII. And, in order to prevent Frauds and Abuses which may be committed contrary to the Intention and against the Provisions of this Act, by the Exportation of any Goods of the Growth, Product, or Manufacture of the Colonies of *New Jersey, Pennsylvania, Maryland, and Virginia*, from any of the Ports within the Government of the Counties of *Newcastle, Kent, and Suffex on Delaware, in North America*; it is hereby further enacted by the Authority aforesaid, That during the Continuance of this Act, no Goods or Commodities whatsoever shall be shipped, to be carried from any Port or Place within the said Counties of *Newcastle, Kent, and Suffex on Delaware*, or either of them, to any other Land, Port, or Place whatsoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to some of the *British* Islands in the *West Indies*, until the Owner or Exporter of such Goods shall have made Oath, or being one of the People called *Quakers*, shall have affirmed, before the Collector or other proper Officer of the Customs at the Port or Place where the same shall be shipped (which Oath or Affirmation such Collector or other Officer is hereby authorized to administer), that such Goods are really and *bona fide* of the Growth, Product, or Manufacture, of one or other of the said Counties; of which Fact the Collector or other proper Officer of the Customs shall and is hereby required to give a Certificate, under his Hand, to the Master of the Ship or Vessel on Board which such Goods are laden, for the Security of her Navigation; and in Failure of producing such Certificate, such Ship or Vessel, and the Goods thereon laden, shall be forfeited, and shall and may be seized and prosecuted as herein after directed.

VIII. And whereas it is the Intent and Meaning of this Act, that the several Prohibitions and Restraints herein before enacted should be discontinued and cease, so soon as the Trade and Commerce of his Majesty's Subjects may be carried on without Interruption within the said Colonies; be it therefore enacted by the Authority aforesaid, That whenever it shall be made appear, to the Satisfaction of his Majesty's Governor or Commander in Chief, and the Majority of the Council of the Colonies of *New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina*, that Peace and Obedience to the Laws shall be so far restored within the said Colonies, or either of them, that the Trade and Commerce of his Majesty's Subjects may be carried on without Interruption within the same, and that Goods, Wares, and Merchandise, have been freely imported into the said Colonies, or either of them, from *Great Britain*, and exposed to Sale, without any Let, Hindrance, or Molestation, from or by reason of any unlawful Combinations to prevent or obstruct the same; and that Goods, Wares, and Merchandise, have in like Manner been exported from the said Colonies, or either of them respectively, to *Great Britain*, for and during the Term of one Calendar Month preceding; that then, and in such Case, it shall and may be lawful for the Governor or Commander in Chief, with the Advice of the Council of such Colonies respectively, by Proclamation, under the Seal of such respective Colony, to notify the same to the several Officers of the Customs, and all others; and after such Proclamation, this Act, with respect to such Colony, within which such Proclamation or Proclamations have been issued as aforesaid, shall be discontinued and cease (except as herein after provided); and all Officers of his Majesty's Customs, and all other Persons having Charge of the Execution of this Act, having received due Notice of such Proclamation, are hereby directed and required to yield and pay Obedience to such Proclamation, and to proceed in the Discharge of their respective Duties, in admitting to Entry, clearing, and discharging, all Ships and Vessels, and all Goods, Wares, and Merchandises, into and out of such respective Colony, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithstanding.

IX. Provided nevertheless, and it is hereby further enacted and declared by the Authority aforesaid, That such Proclamation or Proclamations shall not extend, or be construed to extend, to discharge or suspend any Proceedings upon any Seizure which shall have been made, or any Prosecution which shall have been commenced for any Penalty or Forfeiture inflicted by this Act before the issuing of such Proclamation or Proclamations.

X. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall give or grant any false Certificate, Cocket, or Clearance, for any of the Purposes required or directed by this Act, such Person or Persons shall forfeit the Sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his Heirs and Successors, in any Office whatsoever; and if any Person or Persons shall counterfeit, erase, alter, or falsify any Certificate, Cocket, or Clearance, required or directed by this Act, or shall knowingly or willingly make use of any false Certificate, Cocket, or Clearance, or of any

This Act not to extend to Goods, &c. necessary for his Majesty's Ships of War, or Forts, &c.;

nor to hinder the lawful Importation of Goods from the *British* *West India* Islands into the said Colonies.

No Goods to be shipped from *Newcastle, Kent, &c.* except to *Great Britain* or *Ireland*, till Oath be made that such Goods are of the Product, &c. of the said Counties, and a Certificate granted. On Failure, the Ship and Goods to be forfeited.

Whenever it shall appear to the Governor of *New Jersey, &c.* that Peace is so far restored in the said Colonies, that Trade may be carried on, he is to notify the same by Proclamation;

and all Officers of the Customs, &c. are required to pay due Obedience thereto.

Proclamation not to discharge Proceedings upon any Seizure made before issuing thereof.

Persons giving false Certificates, or counterfeiting, &c. the same, to forfeit 500*l.*

Certificate, Cocket, or Clearance, so counterfeited, erased, altered, or falsified, such Person or Persons shall, for every such Offence, forfeit the Sum of five hundred Pounds; and such Certificate, Cocket, or Clearance, shall be invalid and of no Effect.

How Penalties and Forfeitures may be prosecuted and applied.

XI. And be it further enacted by the Authority aforesaid, That the several Forfeitures and Penalties inflicted by this Act shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures, inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the *British Colonies or Plantations in America*, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several Acts of Parliament, the one passed in the fourth Year of his present Majesty, intituled, *An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending, and making perpetual an Act, passed in the sixth Year of the Reign of his late Majesty King George the Second, intituled, An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America; for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expences of defending, protecting, and securing, the said Colonies and Plantations; for explaining an Act, made in the twenty fifth Year of the Reign of King Charles the Second, intituled, An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade; and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and Great Britain*; and the other, passed in the eighth Year of his present Majesty's Reign, intituled, *An Act for the more easy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the British Colonies and Plantations in America*.

Persons sued for any Thing done in pursuance of this Act, may plead the General Issue,

and recover treble Costs.

XII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act of Parliament, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give the said Act, and the special Matter, in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of and by the Authority of this Act: And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

C A P. XIX.

An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to compound with the Representatives of *Hugh Barlow, Herbert Lloyd, and William Skyrme*, a Debt due to his Majesty from *William Williams*, deceased.

C A P. XX.

An Act to amend and render more effectual two Acts, passed in the sixth and tenth Years of the Reign of his present Majesty, for making a Navigable Cut or Canal from the River *Trent*, at or near *Wilden-Ferry*, in the County of *Derby*, to the River *Mersey*, at or near *Runcorn-Gap*.

Preamble.
Act 6 Geo. III.
recited.

Act 10 Geo. III.
recited.

WHEREAS by an Act, made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for making a Navigable Cut or Canal from the River Trent, at or near Wilden-Ferry, in the County of Derby, to the River Mersey, at or near Runcorn-Gap*, certain Persons therein mentioned and described were united into one Body Politick and Corporate, by the Name of *The Company of Proprietors of the Navigation from the Trent to the Mersey*, with Power and Authority, at their own Costs and Charges, by the Ways and Means therein mentioned, to make, complete, and maintain, such Navigable Cut or Canal passable for Boats, Barges, and other Vessels; and were enabled to raise and contribute amongst themselves the Sum of one hundred and thirty thousand Pounds, in Manner therein mentioned, with Power, if that Sum was not sufficient, by the same Means to raise, for the Purposes aforesaid, a further Sum of twenty thousand Pounds; and the said Company are thereby required, out of the Monies to be raised as aforesaid, during the Time the said Cut or Canal should be carrying on, and until the same should be completed, to pay unto every Person who should subscribe and pay the Sum of two hundred Pounds, or such Sum or Sums of Money as should be demanded in respect thereof, towards carrying on and completing the said Navigation, Interest for the same, after the Rate of five Pounds for every hundred Pounds for one Year, from the Time that each of such Sum or Sums should be so respectively advanced, as aforesaid: And whereas the said Company did, in pursuance of the said Act, raise and contribute amongst themselves, by several Subscriptions, the Sum of one hundred and thirty thousand Pounds, for the Purposes of making and carrying on the said Navigation: And whereas, by a certain other Act of Parliament, made in the tenth Year of the Reign of his said present Majesty, intituled, *An Act to amend an Act made in the sixth Year of the Reign of his present Majesty, for making a Navigable Cut or Canal from the River Trent, at or near Wilden-Ferry, in the County of Derby, to the River Mersey, at or near Runcorn-Gap; and for granting further Powers for that Purpose*; the said Company were enabled to raise and contribute amongst themselves, or by the Admission of new Subscribers to the said Undertaking, any such Sum or Sums of Money as should be further wanted, beyond the said Sum of one hundred and thirty thousand Pounds, for perfecting the said Works, not exceeding

the Sum of seventy thousand Pounds; or it should be lawful for the said Company, or the Committee for the Time being, to be by them appointed, or any seven or more of such Committee, at any of their Meetings assembled, to borrow and take up at legal or less Interest, all or any Part of the said Sum of seventy thousand Pounds on the Credit of the said Navigation and Undertaking, as to them should seem meet and convenient; and they are thereby authorized and empowered to assign over the said Navigation, Undertaking, and Premises, and the Tolls, Rates and Duties, arising by virtue of the said first-recited Act, or any Part thereof, as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to such Person or Persons, or their Trustees, who should advance the same, under the Common Seal of the said Company; the Interest of which Money so to be borrowed was by the said Act directed to be paid Half-yearly to the Parties intitled thereto, in Preference of any Interests or Demands due to the said Company of Proprietors, and before the yearly or other Interest or Dividends due to them should be paid, made, or divided: And whereas the said Company have, by virtue of the said last-mentioned Act, already borrowed, upon the Credit of the said Navigation, and the Duties arising therefrom, the Sum of sixty-eight thousand five hundred and fifty Pounds, at the Rate of four Pounds and ten Shillings *per Centum per Annum*, and have regularly paid the Interest thereof as it hath become due; but in order to accommodate the said Undertaking, have, for upwards of four Years past, withheld the Payment of Interest for the said Sum of one hundred and thirty thousand Pounds due to themselves; which Interest being computed to the eighteenth Day of *March* one thousand seven hundred and seventy-five, amounts to the Sum of twenty-eight thousand five hundred and sixty-three Pounds fifteen Shillings and Four-pence: And whereas the said Company have, in pursuance of the said recited Acts, proceeded to make the said Navigable Cut or Canal, and have completed about seventy-five Miles thereof, and within that Compass have made the great Tunnel through *Harecastle-Hill*, of the Length of about two thousand nine hundred Yards; and also the Tunnel through *Preston-Hill*, of the Length of about one thousand two hundred and forty Yards; and are proceeding to complete the Remainder of the said Canal, being in Length about fifteen Miles; but having nearly expended the Whole of the Money which they have advanced, or are enabled to advance or borrow under and by virtue of the said several Acts, find themselves unable to perfect the said Works, and pay the Interest due for the Money borrowed and advanced for carrying on the said Works, as aforesaid, without the further Assistance 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 and may be lawful to and for the said Company of Proprietors of the Navigation from the *Trent* to the *Merley* to raise and contribute among themselves, in such Shares and Proportions as to them shall seem meet and convenient, or by the Admission of new Subscribers to the said Undertaking, any such Sum or Sums of Money as shall be further wanted beyond the said several Sums of one hundred and thirty thousand Pounds, and seventy thousand Pounds, already raised and borrowed, or authorized to be raised and borrowed, for perfecting and completing the said Navigable Canal, and other Works authorized to be made by the said Acts, and for Payment of the said Interest, not exceeding in the Whole the Sum of seventy thousand Pounds; and that the same be divided into such Number of Shares as they shall think proper, at a Price not exceeding two hundred Pounds *per Share*: Provided that no Person do subscribe or become a Proprietor of more than thirty Shares in the said Navigation, either in this Subscription alone, or in the said former and this present Subscription together, or by any other Means whatsoever, either in his own Name, or in the Name of any other Person or Persons in Trust for him, except the same shall hereafter come to him by Will or Act in Law, upon Pain of forfeiting to the said Company all such Shares, except thirty Shares, as aforesaid: And every Subscriber towards raising such further or other Sum or Sums of Money, as aforesaid, shall have a like Vote, by himself or Proxy, in respect of every such Share in the said further Sum so to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits and Powers of the said Navigation, proportionably to the Sum he or they shall or may subscribe thereto, as generally and extensively, to all Intents and Purposes, as if such further or other Sum, hereby allowed to be subscribed and raised, had originally been Part of the original Subscription, any Thing in the said former Acts contained to the contrary thereof in any wise notwithstanding: Or it shall be lawful for the said Company, or the Committee for the Time being, to be by them appointed by virtue of the said first-recited Act, or any seven or more of such Committee, at any of their Meetings assembled, to borrow and take up, at legal or less Interest, all or any Part of the said Sum of seventy thousand Pounds on the Credit of the said Navigation and Undertaking, as to them shall seem meet and convenient; and they are hereby fully authorized and empowered to assign over the said Navigation, Undertaking, and Premises, and the Tolls, Rates, and Duties, arising by virtue of the said first-recited Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Tolls, Rates, and Duties), as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to such Person or Persons, or their Trustees, who shall advance the same, under the Common Seal of the said Company, by the following Words of Assignment, or by any other Words to the same Effect, (*videlicet*),

The Company have made great Progress in the Work;

and are proceeding to complete the Remainder of it.

Further Powers wanted.

Company empowered to raise 70,000 l. more among themselves, or by Admission of new Subscribers.

No Share to exceed 200 l. No Person to be a Proprietor of more than thirty Shares.

Privileges of Subscribers.

Company empowered to borrow Money,

and to assign the Tolls and Duties as a Security.

BY virtue of an Act, made in the fifteenth Year of the Reign of his Majesty King *George* the Third, to amend and render more effectual two Acts, passed in the sixth and tenth Years of the Reign of his present Majesty, *For making a Navigable Cut or Canal from the River Trent, at or near Wilden-Ferry, in the County of Derby, to the River Mersey, at or near Runcorn-Gap*; We the Company of Proprietors of the said Navigation, incorporated by the said Act, made in the sixth Year of his present Majesty's Reign, in consideration of the Sum of

Form of Assignment.

do assign unto the said

his

his Executors, Administrators, and Assigns, all and singular the Tolls, Rates, and Duties, arising by virtue of the said last-mentioned Act; and also the said Navigation, Undertaking, and Premises, and all the Estate, Right, Title, and Interest, of the said Company of Proprietors, of, in, and unto the same; to hold unto the said his Executors, Administrators, and Assigns, until the said Sum of together with Interest for the same, after the Rate of *per Centum per Annum*, shall be repaid.

Persons to whom Assignments are made, equally intitled to their Proportion of the Tolls, &c. Application of the Money.

Securities may be transferred.

Entries of Assignments to be made.

Interest of the Money borrowed to be paid Half-yearly.

Publick Act.

And all and every Person and Persons to whom such Assignment or Assignments shall be made, shall be equally intitled to their Proportion of the said Tolls, Rates, Duties, and Premises, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof, with the Interest, as aforesaid, without any Preference by reason of Priority of Assignment, either in pursuance of this or the said last-recited Act, or on any other Account whatsoever: And the Money so borrowed by any or either of the above Methods shall be applied, in the first place, for discharging the Expences incurred in and in relation to the obtaining of this Act; and afterwards for making, continuing, completing, and maintaining, the said Navigable Cut or Canal, and other Works authorized by this Act, or the said recited Acts; and in carrying this Act, and the said former Acts, and the several Provisions, Powers, and Authorities, therein and herein contained, into effectual Execution; which Assignment or Assignments may be transferred in such Manner as is directed with respect to Assignments made in pursuance of the said recited Act, made in the tenth Year of his present Majesty, and the Assignee or Assignees shall in like Manner be intitled to the Money due on such Assignment or Assignments respectively, and the whole Benefit thereof, in as full and ample Manner as the Assignee or Assignees of any Assignment or Assignments, made under or by virtue of the said last-recited Act; Entries of such Assignments and Transfers respectively, where the Consideration amounts to upwards of one hundred Pounds, being made, in such Manner as is directed by the said last-mentioned Act.

II. And it is hereby further enacted, That the Interest of the Money which shall be borrowed by Mortgage, as aforesaid, shall be paid Half-yearly to the several Parties intitled thereto, in Preference to and before the Interest or Dividends, which shall be due and payable by virtue of the said several recited Acts, or this present Act, to the said Company of Proprietors, or any of them, for the same Half-year, shall be paid, made, or divided; and that all such Transfers, Securities, and Assignments, shall be free from all Stamp-duties.

III. And be it further enacted, That this Act shall be allowed in all Courts whatsoever as a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice of it as such, without specially pleading the same.

C A P. XXI.

An Act for the better Relief and Employment of the Poor within the Parish of *Saint Mary le Bone*, in the County of *Middlesex*; and for building a Workhouse in the said Parish.

Preamble.

WHEREAS in and by an Act of Parliament, made in the eighth Year of the Reign of his present Majesty King George the Third (intituled, *An Act for repealing an Act, made in the twenty-ninth Year of the Reign of his late Majesty King George the Second, intituled, An Act for the better regulating the Nightly Watch and Beadles; and cleansing, enlightening, and paving the Streets, Squares, Lanes, and other Passages, and repairing the Highways and Causeways, and regulating the Poor, within the Parish of Saint Mary le Bone, in the County of Middlesex; and for making more effectual Provision for those Purposes*), Power was given to the Vestrymen, nominated in and by the said Act, to ascertain the Monies necessary to be raised, and to make Rates and Assessments for the Relief of the Poor of the said Parish; to appoint Governors and Directors of the Poor of the said Parish, and to empower such Governors and Directors to make Rules, Orders, and Regulations, for the better Government of the Poor thereof; but no sufficient Power was given to purchase or hire Ground whereon to build a Workhouse or Workhouses, nor for the building or erecting a Workhouse or Workhouses sufficiently large and convenient for the Reception of the sick, diseased, and infirm Poor; nor for setting at Work the healthy and able, and for the Punishment of the idle, disorderly, and refractory; nor Power to raise Money for those Purposes: And whereas the said Governors and Directors are still in want of further Powers to make Regulations for the better providing for, governing, and employing the Poor of the said Parish: And whereas the Buildings, Houses, and Inhabitants, of the said Parish are, since the passing of the said Act, greatly increased, and are still increasing, the Poor of the said Parish are become very numerous, and the present Workhouse is greatly insufficient to receive the Number of Poor that belong and are chargeable to the said Parish: And whereas it would tend to the Health and convenient Accommodation of the sick, diseased, and infirm Poor; to the Employment of those able to work and industrious; to the Correction of the Profligate and Idle; to the Education of the Infant Poor in Habits of Industry, Religion, and Honesty, and to the Emolument and Advantage of themselves and the said Parish, by the Profits arising from their Labour, if a large and convenient House or Houses, with Apartments for the sick and diseased, for the old, impotent, and infirm, and for those able to work for the carrying on of divers Trades, Works, and Manufactures, as also for the Punishment of the idle, refractory, and profligate, and for carrying into Execution the several Purposes of this Act, were built and erected; but as the same cannot be carried into Execution without the Aid and Authority of Parliament; 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,

mons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act, made in the eighth Year of his present Majesty's Reign, as relates to the Nomination and Appointment of Governors and Directors of the Poor of the said Parish, and to the several Powers and Authorities by the said Act vested in the said Governors and Directors, when so appointed, and to the previous Consent of the Vestrymen of the said Parish being given before any Money should be applied for the Purpose of erecting any Workhouse for the Reception of the Poor within the said Parish, or such Workhouse erected, shall be and is hereby repealed.

II. And be it further enacted, That the Vestrymen of the said Parish, nominated and appointed in and by virtue of the said Act, or any nine or more of them, shall meet in the Vestry-room, at the Court-house in the said Parish, on the second *Thursday* next after the passing of this Act, and shall also meet on some Day in the Month of *February*, which will be in the Year of our Lord one thousand seven hundred and seventy-six, and shall, in like Manner, meet on some Day in the Month of *February* in every succeeding Year, between the Hours of Ten in the Forenoon and Three in the Afternoon (publick Notice of such Meeting being given in and upon the Church and Chapels of the said Parish, in Manner in the said Act directed); and shall at such first Meeting next after the passing of this Act, and at such Meeting in the Month of *February* in every succeeding Year, annually, nominate and appoint thirty substantial and discreet Persons, whom they the said Vestrymen shall make Choice of, which said thirty substantial and discreet Persons, nominated and appointed as aforesaid, shall be and be called Directors and Guardians of the Poor of the said Parish, for carrying into Execution the several Powers given and intrusted to them by this Act, until other Directors and Guardians shall in like Manner be appointed in their Room.

III. Provided always, That in case nine or more Vestrymen shall not attend at such first or any subsequent Meetings, the Vestry Clerk shall and is hereby authorized and empowered to adjourn such Meeting to some future Day, not exceeding seven Days from the Day when such Meeting was first appointed to be held, giving the Notice directed by the said Act, made in the eighth Year of his present Majesty's Reign, in regard to the Meeting of such Vestrymen.

IV. Provided always, and be it further enacted, That the Churchwardens of the said Parish for the Time being, each and every of them, shall be, and they are hereby declared to be Directors and Guardians of the Poor within the true Intent and Meaning of this Act; and shall have full Power and Authority, together with the several Directors and Guardians, to be from Time to Time nominated and appointed as herein mentioned, to act as such to all Intents and Purposes, as if they had been elected and chosen by the Vestrymen of the said Parish, in Manner and Form prescribed by this Act.

V. And be it further enacted, That the said Directors and Guardians of the Poor, nominated and appointed as aforesaid, or any nine or more of them, shall at their first Meeting next after their Appointment in pursuance of this Act, and at their first Meeting after their annual Appointment in every succeeding Year (which Meetings the said Vestrymen are hereby directed and required to direct and appoint), divide themselves into six distinct Committees, each of the said Committees to consist of five Directors and Guardians, and shall then fix and establish an annual Rule or Rotation for the Attendance of each of the said Committees; and one of the said Committees shall meet on a certain Day, to be appointed by the said Directors and Guardians, in every Week, and shall attend weekly for so long Time as shall by the said Rotation be fixed and established; and afterwards the next Committee on such Rotation shall attend weekly, in like Manner, until such annual Rotation shall be perfect and complete; and such Committees, so appointed, shall, at such their Meetings, carry this Act into Execution.

VI. Provided always, That no Business transacted by the said Committees, nor any Orders made by them, shall be good, valid, or effectual, unless five or more Directors or Guardians be present at such Committee.

VII. And be it further enacted by the Authority aforesaid, That all or any of the said Directors and Guardians may, if they think fit, attend any such Weekly Meetings, so to be appointed as aforesaid, and may act, proceed, and vote, at any such Meeting, in such Manner as if he or they were on the Committee then attending in Rotation.

VIII. And be it further enacted by the Authority aforesaid, That the Clerk to the said Directors and Guardians shall, two Days previous to every such Weekly Meeting, give Notice, in Writing, or printed, to every Director and Guardian, being a Member of such Committee, whose Turn it shall or may be to attend according to the Rotation so fixed and established, such Notice, expressing that such Director and Guardian is upon such Committee; and shall likewise, at the same Time, give Notice of such Meeting of the Committee to each and every Director and Guardian of the Poor not being on such Committee.

IX. And be it further enacted by the Authority aforesaid, That if any Person being a Vestryman, nominated and appointed in and by virtue of the said Act, made in the eighth Year of his present Majesty's Reign, who shall be appointed a Director and Guardian of the Poor, in Manner before mentioned, shall neglect or refuse to take upon himself or act in such Office, and shall neglect to attend on any of the said Weekly Committees to which he shall be appointed, according to the Rule or Rotation so to be fixed and established, either in Person, or by one of the said Directors and Guardians as and for his Substitute, for the Space of one Year, such Neglect and Refusal shall be taken and deemed to be a Refusal to act, within the Intent and Meaning of this Act, and such Vestryman shall from thenceforth cease to be a Vestryman, in like Manner as is provided in the said Act of the eighth Year of his present Majesty, for Vestrymen who shall neglect to attend the Vestry Meetings for the Space of two Years.

X. And be it further enacted by the Authority aforesaid, That the said Directors and Guardians, before they take upon themselves the Execution of any of the Powers and Authorities given them by this Act, save and except the Power of administering to one another the Oath herein after directed and prescribed, shall severally take the following Oath; that is to say,

Part of Act
8 Geo. III re-
lating to the
Appointment of
Governors, &c.
repealed.

Time and Place
of the first and
subsequent
Meetings of
Vestrymen,

who are annual-
ly to appoint Di-
rectors and Guar-
dians.

On Non-attend-
ance of Vestry-
men, Meetings
may be adjourn-
ed.

Churchwardens
to be Directors
and Guardians.

Directors and
Guardians to di-
vide themselves
into Commit-
tees,

and establish a
Rule for At-
tendance.

No Orders of
Committees va-
lid, unless five
Directors or
Guardians are
present.

All the Direc-
tors and Guar-
dians may attend
Weekly Com-
mittees.

Clerk to sum-
mon Weekly
Committees.

If any Vestry-
man be appoint-
ed a Director and
Guardian, and
refuse to act, &c.
for one Year, to
cease to be a
Vestryman.

Directors and
Guardians, be-
fore they act, to
take the follow-
ing Oath.

The Oath.

I A. B. will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Knowledge, execute and perform all and every the Trusts, Powers, and Authorities, as a Director and Guardian of the Poor, appointed in pursuance of an Act of Parliament, made in the fifteenth Year of his present Majesty King George the Third, intituled, *An Act for the better Relief and Employment of the Poor within the Parish of Saint Mary le Bone, in the County of Middlesex, and for building a Workhouse in the said Parish.*

‘ So help me GOD.’

Which Oath the said Directors and Guardians, or any two or more of them, at their first or any subsequent Meeting to be held in pursuance of this Act, are hereby impowered and required to administer.

Times of holding Quarterly Meetings.

XI. And be it further enacted, That after such Directors and Guardians shall be chosen as aforesaid, the said Directors and Guardians shall hold four General Quarterly Meetings in every Year, on the four several Days following, *viz.* the twenty-fourth Day of *June*, the twenty-ninth Day of *September*, the twenty-fifth Day of *December*, and the twenty-fifth Day of *March*, in every Year, unless any of those Days shall happen to be on a *Sunday*, in which Case the Meeting shall be held on the following Day; the first of which said Quarterly Meetings shall be held on the twenty-fourth Day of *June* next after the passing of this Act, at the Court House in the said Parish; at which Quarterly Meetings the Accounts of the Treasurers to the said Directors and Guardians, and all other Accounts relative to the Execution of this Act, shall be examined and adjusted, and signed by the Chairman to the said Quarterly Meeting.

No Business valid, unless nine Directors, &c. be present.

XII. Provided always, That no Business transacted at the said Quarterly Meeting, nor any Order made by them, shall be good, valid, or effectual, unless nine Directors and Guardians shall be present at such Meeting.

In case of Non-attendance, Clerk may adjourn the Meeting.

XIII. And be it further enacted, That in case nine Directors and Guardians shall not attend at any such Quarterly Meeting, or in case five Directors and Guardians shall not attend at any such Weekly Committee, it shall and may be lawful to and for the Clerk to such Directors and Guardians to adjourn such Quarterly Meeting or Committee to any Day within eight Days after such Meeting was appointed to be held, and forthwith to give Notice of such Adjournment to every Director and Guardian.

How Vacancies by Death, &c. are to be filled up.

XIV. And be it further enacted, That the Vestrymen of the said Parish, or any nine or more of them, at any Meeting to be held in pursuance of the said Act of the eighth Year of his present Majesty, shall and may, as often as Occasion shall require, fill up by Ballot any Vacancies that may have happened in the Number of the said Directors and Guardians, either by Death, Removal, or Refusal to act; but no such Director and Guardian, so to be elected to fill up any Vacancy, shall continue a Director and Guardian for any longer Time than the Person in whose Place he shall or may be elected might or ought to have continued by virtue of this Act.

Provido.

XV. Provided always, That fourteen Days Notice at the least shall be given of every such Meeting, specifying therein the Cause of such Meeting, and the Number of Vacancies to be filled up.

Provido.

XVI. Provided also, That no Person whatsoever shall be liable or compellable to serve as a Director and Guardian of the Poor, for a longer Time than two Years succeeding or following each other.

Three Directors and Guardians may call a General Meeting.

XVII. And be it further enacted, That if any three or more Directors and Guardians shall, on any Occasion, think it necessary or expedient to call or convene a General Meeting of the said Directors and Guardians, it shall and may be lawful for such three Directors and Guardians to order the Clerk to such Directors and Guardians to summon such General Meeting of the Directors and Guardians, to meet at the Time the said three Directors and Guardians shall then require, by a Notice, specifying the particular Occasion of such Requisition.

Chairman to be appointed.

XVIII. And be it further enacted by the Authority aforesaid, That at each and every of the Quarterly or General Meetings of the said Directors and Guardians, and at each and every of the said Weekly Meetings of the Committee, any one Director and Guardian present, who shall be then named by the Majority of the Directors and Guardians present at any such Meeting, shall preside at every such Meeting, and take the Chair as President or Chairman of such Meeting; and in case of an Equality of Voices on any Transaction, including the Voice of the Chairman or President, such Chairman or President shall have another or the casting Voice.

Directors may administer an Oath,

XIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians (five or more of them being then present), at any of their General Meetings, Quarterly Meetings, or Weekly Committees, to be held in pursuance of this Act, to administer an Oath to any Person or Persons for their more certain Information in any Matter or Business then depending.

appoint Treasurers, &c.

XX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, from Time to Time, to appoint one or more Treasurer or Treasurers, Clerk or Clerks, Governor or Governors, Steward or Stewards, Matron or Matrons, and such other Officer or Officers, Servant or Servants, as the said Directors and Guardians shall think fit and convenient, for the better Government and Regulation of the Poor maintained in such Workhouse or Workhouses.

and a Clergyman to instruct the Poor, &c.

XXI. And be it further enacted, That the said Directors and Guardians, at any Quarterly Meeting, shall and may, if they think the same fit and convenient, from Time to Time, appoint some Clergyman of the Church of *England*, to instruct such Persons as shall be maintained in such Workhouse or Workhouses in the Principles of the Christian Religion, and also to visit the Sick, and perform other Duties of his Profession, in the said Workhouse or Workhouses; and the said Directors and Guardians, at any Quarterly Meeting, shall, and they are hereby impowered to make such Allowance to such Clergyman, and Treasurer or Treasurers, Clerk or Clerks, Governor or Governors, Steward or Stewards, Matron or Matrons, or other Officer or Officers, Servant or Servants, for their Pains and Trouble therein, as to

them the said Directors and Guardians, at any such Meeting, shall seem reasonable; and may, from Time to Time, at any such Meeting, displace or discharge him or them, or any of them; and shall and may pay such Allowances out of the Monies to be raised by this and the said former Act, made in the eighth Year of his present Majesty.

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, at any General Meeting to be held in pursuance of this Act, and they are hereby authorized, to treat, contract, and agree for, and to purchase or hire, for any Term of Years, or to purchase for ever, any Lands (not exceeding six Acres), Tenements, or Hereditaments, within the said Parish, in the Name of the said Directors and Guardians, or any nine or more of them, at any General Meeting to be held in pursuance of this Act, who are hereby enabled to take a Conveyance thereof, in the Name of the whole of the said Directors and Guardians, and to them and their Successors, for any Term of Years, or for ever; and, from Time to Time, to pull down, alter, repair, and furnish any Buildings that may be standing on the same, for the better receiving, maintaining, and employing all or any of the Poor of the said Parish, or may erect and build thereon, or on any other Ground belonging to or to belong to the said Parish, one or more House or Houses, for the like Purposes, and provide Furniture for the same, and all other Materials and Things for putting in Execution this Act; and by and out of the Monies raised or to be raised by virtue of this and the said Act of the eighth Year of his present Majesty, shall pay and satisfy the Purchase-money or Hire for the same, and all necessary Charges relating thereunto, and to the comfortable Support, maintaining and employing of the Poor of the said Parish; and also all Monies which shall be justly due to the Artificers, Workmen, and others, employed in and about erecting, altering, repairing, and furnishing the said House or Houses, or Tenements, and in and about all other Matters and Things concerning the same.

Ground or Buildings may be purchased.

XXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees, and Feoffees in Trust, Husbards, Guardians, and Committees for Lunaticks and Idiots, Executors, Administrators, and Guardians, or other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femmes-covert, or other Persons whatsoever, and to and for all Femmes-covert who are or shall be seised in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any of the said Lands, Tenements, or Hereditaments, which shall be thought necessary for the Purposes of this Act, to treat, sell, and contract with the said Directors and Guardians, and to convey to them, or to any other Person or Persons, or their Heirs in Trust for them, all or any of the said Lands, Tenements, Hereditaments, Estates, and Interest, or any Part thereof; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons as aforesaid, shall be good, valid, and effectual in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Title, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femmes-covert, or other Persons whomsoever, and all Persons claiming, or to claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all Bodies Politick, Corporate, Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbards, Guardians, Committees, Trustees, and all other Persons whatsoever, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act, notwithstanding any Omission or Mistake of Matter or Form whatsoever.

Bodies Politick, &c. impowered to sell or convey Lands.

XXIV. And be it further enacted, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons in Possession of any such Lands, Tenements, Hereditaments, and Premises, or any Part thereof, which shall be purchased by or conveyed to the said Directors and Guardians, as aforesaid, and who shall have no greater Interest in the Premises than as Tenant at Will, or as Lessee by Parole for a Year, or from Year to Year, shall, on the Expiration of six Calendar Months after Notice in Writing left upon the Premises, 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 Directors and Guardians, or any other Person or Persons authorized by them, or any five or more of them, to take Possession thereof: And in case any such Person or Persons shall refuse to give such Possession, then it shall and may be lawful to and for the said Directors and Guardians, or any five or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *Middlesex*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts on the Person or Persons refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods and Chattels.

Tenants, after six Months Notice, to deliver Possession.

Sheriff's Power, in case of Refusal.

XXV. And be it further enacted, That the said Directors and Guardians, at any of their Meetings to be held in pursuance of this Act, shall have Power from Time to Time to impose any reasonable Fine, not exceeding the Sum of five Pounds, on the said Sheriff, or his Deputy or Deputies, or Agent or Agents respectively, making Default in the Premises, or refusing to deliver Possession, as aforesaid, and from Time to Time to levy such Fine or Fines, by Order of the said Directors and Guardians, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress, returning the Overplus (if any) to the Owner; and all such Fines shall be applied for the Purposes of this Act.

5l. Penalty on Sheriff making Default.

XXVI. And be it further enacted by the Authority aforesaid, That the said Directors and Guardians, at any of their Meetings to be held in pursuance of this Act, shall and may, and they are hereby authorized and impowered to contract or agree with any Person or Persons whatsoever, for erecting, building, and finishing, the Whole or any Part of any Workhouse or Workhouses directed by this Act to be built and

Contracts may be entered into for Work to be performed.

erecled, or for altering, repairing, finishing, or completing, any Tenements or Hereditaments that shall be purchased or taken in pursuance of this Act; and also to purchase or provide, either by Contract or otherwise, from Time to Time, such Furniture, Goods, Chattels, Provisions, Clothing, Utensils, and Materials whatsoever, as shall be thought proper for the effectual setting to work, receiving, employing, maintaining, clothing, and providing for, in every respect, the Poor of the said Parish, of what Age, Sex, or Condition soever they be; and shall pay, or order the Payment of the Monies due, or to become due, upon any such Contracts, Agreements, or Purchases, to the Person or Persons intituled to receive the same, by virtue of this and the said Act of the eighth Year of his present Majesty.

Fourteen Days Notice to be given of Directors Meetings for making Contracts.

XXVII. Provided always, That previous to the Day appointed for the Meetings of the said Directors and Guardians for the making of any Contracts for the erecting, building, and finishing the Whole or any Part of the said Workhouse or Workhouses, fourteen Days Notice of such Meeting to make such Contracts shall be given in some of the publick News-papers, expressing the Intentions of such Contract, in order that any Person or Persons, willing to undertake the same, may make Proposals for that Purpose; to be offered and presented to the said Directors and Guardians at the Time and Place mentioned in such Notice.

No Contract valid till confirmed at a subsequent Meeting.

XXVIII. Provided also, That no Contract or Agreement whatsoever, made by the said Directors and Guardians, shall be good, valid, binding, or effectual, until the same shall be approved and confirmed at their next or subsequent Meeting to be held in pursuance of this Act, and signed by the Chairman presiding at such Meeting.

No Director to hold any Office, or enter into Contract.

XXIX. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as a Director and Guardian of the Poor, in the Execution of this and the said former Act of the eighth Year of his present Majesty, during the Time he or they shall hold any Office, or enter into any Contract, or have any Share or Interest in any Contract relating to the Execution of any of the Powers of this and the said former Act of the eighth Year of his present Majesty.

All Contracts to be entered in Books.

XXX. And be it further enacted, That the said Directors and Guardians shall cause all Contracts, made with or by all Artificers, Workmen, Tradesmen, or others, employed in and about the building, repairing, or altering, any Workhouse or Workhouses, or other Houses or Tenements, for the Reception of the Poor of the said Parish, and all other Contracts or Agreements which shall in any wise relate to the carrying into Execution the Purposes of this and the said former Act, and all Receipts and Payments, Debts and Credits, and any Matter or Thing relative thereto, to be fairly entered in a Book or Books to be provided for those Purposes.

Orders to be entered in Books.

XXXI. And be it further enacted by the Authority aforesaid, That all Acts, Orders, and Proceedings, of the said Vestrymen, and Directors and Guardians, at their Meetings, shall be entered in a Book or Books, to be kept for that Purpose, and signed by the Chairman or President for the Time being at their next Meeting; and all Acts, Orders, and Proceedings, shall then be deemed and taken to be original Acts, Orders, and Proceedings, and such Books shall and may be produced and read in Evidence in all Courts whatsoever.

Furniture, Apparel, &c. provided for the Poor, vested in Directors.

XXXII. And be it further enacted by the Authority aforesaid, That the Property of all and every the Goods, Chattels, Furniture, Provisions, Cloaths, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things whatsoever, to be from Time to Time had, bought, procured, and provided, for the Use of the Poor of the said Parish, and for carrying into Execution the several Purposes of this Act, shall be, and the same are hereby vested in the Directors and Guardians of the Poor of the said Parish for the Time being, and their Successors, for the Purposes of this Act, who are hereby impowered to bring, or cause to be brought, any Action or Actions, or to prefer or order the preferring of, any Bills of Indictment against any Person or Persons, who shall steal, take, or carry away, any or any Part of such Goods, Chattels, Furniture, Provisions, Cloaths, Linen, and Wearing Apparel, Utensils, Materials, and Things whatsoever, the Property of which said Goods, Chattels, Furniture, Provisions, Cloaths, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things, shall be laid in every such Action and Indictment to be the Property of the Directors and Guardians of the Poor of the Parish of *Saint Mary le Bone*, in the County of *Middlesex*, and shall be brought or laid in the Name of the Treasurer for the Time being; and every Action and Indictment so laid shall be good in Law to all Intents and Purposes.

Directors and Guardians may borrow Money, not exceeding 20,000*l.*

XXXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Directors and Guardians, nominated and appointed as aforesaid, or any nine or more of them, at any of their General Meetings to be held in pursuance of this Act, and they are hereby impowered, at any Time or Times, to borrow and raise, for the Purposes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of ten thousand Pounds, at the lowest Rate of Interest that the same can be procured; which Interest shall be and is hereby made payable out of the Monies to be raised by the Rate or Assessment for the Relief of the Poor, directed by the said former Act of the eighth Year of his present Majesty's Reign, to be made by the Vestry of the said Parish; such Money to be borrowed upon Bonds of one hundred Pounds each, to be executed and signed by the said Directors and Guardians, or any seven or more of them, and the Principal Money secured by such Bonds shall be discharged in Manner herein after mentioned.

and may pay off, at any Quarterly Meeting, any Sum not exceeding 500*l.* yearly.

XXXIV. And be it further enacted, That in order to pay off and discharge the Money to be borrowed on the Credit of the said Rate or Assessment, in Manner herein directed, it shall and may be lawful to and for the said Directors and Guardians, and they are hereby authorized and impowered, yearly, and every Year, at any of their Quarterly Meetings, to pay off and discharge therefrom a Sum not exceeding five hundred Pounds, out of the Monies raised by such Rate or Assessment.

How Bonds or Securities are to be paid off.

XXXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, or any nine or more of them, at any of their Quarterly Meetings, to cause the Numbers of all the Bonds or Securities, which shall then be due and owing to the Creditors

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on the said Rate, to be written on separate Slips of Paper or Parchment, and to be put separately into a Wheel or Box; and that so many Numbers of the said Bonds or Securities shall be drawn out of the said Wheel or Box by the Clerk to the said Directors and Guardians, in the Presence of the said Directors and Guardians, or any nine or more of them, as shall make up the Sum then intended to be paid off, which Numbers he shall then read and deliver to the Chairman or President presiding at such Meeting, who shall cause the same to be entered by the Clerk in the Minutes; and that six Months Notice, in Writing, or printed, and signed by the Clerk to the said Directors and Guardians for the Time being, shall be given to the Person or Persons who shall be intitled to such Bond or Bonds, Security or Securities, so drawn out, or shall be left at his, her, or their last or most usual Place of Abode, that his, her, or their respective Bond or Bonds, Security or Securities, Principal and Interest, will be paid off; and that at the Expiration of the said six Months, to be computed from the Day of such Notice given or left as aforesaid, all Interest on such Bond or Bonds, Security or Securities, shall cease and determine.

XXXVI. And whereas it may happen hereafter, that, by reason of the farther Increase of the Poor, old, impotent, and other Persons, whom it will be necessary to receive into such Workhouse or Workhouses, it may become necessary to add more Buildings or Erections for the Purposes of this Act, or to make some considerable Alterations and Repairs, the Expence whereof may be too great to be defrayed out of the said annual Rate for the Relief of the Poor of the said Parish; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, or any nine or more of them, at any of their General Meetings to be held in pursuance of this Act, and they are hereby authorized and empowered, in case of such Necessity, to borrow and take up at Interest such Sum or Sums of Money as shall be so wanted on the Credit of the said Rate, in like Manner as is herein before directed.

More Monies may be borrowed.

XXXVII. Provided always, That the whole Sum so borrowed shall not at any Time exceed the Sum of ten thousand Pounds, the Sum herein directed to be borrowed for the several Purposes before mentioned.

Proviso.

XXXVIII. And be it further enacted by the Authority aforesaid, That in case the said Directors and Guardians can at any Time borrow and take up any Sum or Sums of Money, not less than the Sum of five hundred Pounds at one Time, at a lower Rate of Interest than the Bonds or Securities by them issued then carry, it shall and may be lawful to and for the said Directors and Guardians, or any nine or more of them, from Time to Time, to pay off and discharge the Bonds or Securities bearing a higher Rate of Interest, following the Directions and Regulations as are herein before prescribed for paying off Bonds and Securities.

500 l. at a lower Interest may be borrowed to pay off Bonds at higher Interest.

XXXIX. Provided nevertheless, That no Bond or Security carrying a lower Rate of Interest shall at any Time be paid off and discharged, whilst any of the Bonds or Securities carrying a higher Rate of Interest are unpaid and undischarged.

Proviso for paying off Bonds.

XL. And be it further enacted, That there shall be entered in a Book or Books, to be for that Purpose provided and kept by the Clerk or Clerks to the said Directors and Guardians, all Securities for Monies borrowed by virtue and in pursuance of this Act, and all Assignments or Transfers thereof, expressing, in Words at Length, the Names, Surnames, Additions, Places of Abode, and other Descriptions, of all such Persons as shall from Time to Time be intitled to such Securities.

Securities to be entered in Books.

XLI. And it is hereby further enacted, That it shall and may be lawful to and for any Person and Persons, intitled to any of the Securities before mentioned, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his or their Hands respectively, to assign or transfer such Securities, by Indorsement on the Back thereof, to any Person or Persons whatsoever, and witnessed by one Witness, and so toties quoties; and such Assignments and Transfers, after they shall be respectively entered in the Book or Books of such Directors and Guardians, in Manner aforesaid, shall intitle the Person or Persons to whom they shall respectively be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned and transferred.

Securities may be assigned.

XLII. And be it further enacted by the Authority aforesaid, That all Gifts, Donations, Benefactions, and Sums of Money whatsoever, now payable, or which shall hereafter become payable, for and to the Use of the Poor of the said Parish, not being directed or liable to be applied for the Support of any private or particular Poor or Charity, or by the Donation particularly appropriated, not being Sacramental Money, shall, from Time to Time, from and after the Appointment of the said Directors and Guardians, be paid into the Hands of the Treasurer or Treasurers to the said Directors and Guardians, for the Use of the Poor of the said Parish, to be applied in Aid of the Rate for the Relief of the Poor thereof.

Donations and other Monies to be paid to the Treasurer.

XLIII. And be it further enacted, That it shall and may be lawful to and for the said Directors and Guardians, at any of their said Weekly Meetings, to order the Name of every such Donor, Benefactor, or charitable Person, together with the Sum by them given for and towards the Use of the Poor of the said Parish, to be written and painted in legible Characters, in some conspicuous Part of the Church of the said Parish, and also in some publick or conspicuous Part of such Workhouse or Workhouses, in such Manner as the said Directors and Guardians shall think fit, the Expence thereof to be defrayed out of the Monies to be raised by virtue of this Act.

Names of Benefactors to be put up in the Church, &c.

XLIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, at any of their Meetings to be held in pursuance of this Act, to sell, let, or dispose of the present Workhouse belonging to the said Parish (if they shall not think fit to apply the same to any of the Purposes of this Act), and also to sell, let, or dispose of so much of the Lands, Tenements, or Hereditaments, so to be purchased or hired as aforesaid, as shall not be necessary or used for the Purposes of this Act, to any Person or Persons willing to purchase or take the same, for the best Price that can be got, and apply the Monies arising therefrom to the Purposes of this Act.

Directors may sell or let the present Workhouse or Lands.

All Contracts for Building, &c. to be confirmed by Vestry.

XLV. Provided always, and be it enacted, That before any Contract or Agreement made by the said Directors and Guardians for erecting any new Building, or for the hiring or purchasing any Lands, Tenements, or Hereditaments, or for the borrowing of Money on Bond or Security, or for the selling or disposing of any Lands, Tenements, or Hereditaments, belonging to the said Parish, under the Authority of this Act, shall be valid and effectual, every such Contract or Agreement respectively shall be laid before the Vestry of the said Parish, at some public Meeting, for their Approbation and Confirmation; and if such Contract or Agreement shall, at such Meeting, be approved and confirmed by a Majority of the Vestrymen then present (such Majority being not less than nine in Number), the same shall be certified by the Chairman of such Vestry for the Time being, who shall sign his Name to an Indorsement, to be made on every such Contract or Agreement, in the following Form; videlicet,

Form of Indorsement.

I at the Court House, on the Day of do hereby certify, that the within Contract or Agreement (as the Case may be) was approved and confirmed according to the Direction of this Act. Witness my Hand,

Chairman of the Vestry of the Parish of Saint Mary le Bone, held

And such Certificate or Indorsement shall be entered in the same Form in the Book or Books containing the general Proceedings, Orders, and Regulations, of the said Vestry.

Directors and Guardians may make Bye-laws.

XLVI. And be it further enacted by the Authority aforesaid, That the said Directors and Guardians shall have, and they are hereby declared to have, full Power and Authority, at any of their General Meetings, to make, from Time to Time, such Bye-laws, Rules, Orders, and Constitutions, as well for the better governing, employing, and supporting, the said poor Persons in the said Parish, and for the carrying on any Trade that shall be set on Foot for the Employment of the said Poor, and for other the Ends and Purposes of this Act, and from Time to Time afterwards to repeal, alter, or amend, such Bye-laws, Rules, Orders, and Constitutions, as to them the said Directors and Guardians shall seem meet, so that such Bye-laws, Rules, Orders, and Constitutions, are not repugnant to the Laws of the Land.

No Bye-laws to be valid till confirmed at next General Meeting.

XLVII. Provided always, That no such Bye-laws, Rules, Orders, and Constitutions, shall be good, valid, or effectual, until confirmed by the next or subsequent General Meeting, at which General Meeting nine or more Directors and Guardians shall be then present, and assenting thereto; and the Summonses for such Meeting for the Making or Confirmation of Bye-laws shall express that such Meeting is for that Purpose in particular.

Overseers of the Poor, Constables, &c. to aid, assist, and obey Directors.

XLVIII. And be it further enacted, That all Overseers of the Poor, Constables, or other Parish Officers for the Time being of the said Parish, except the Churchwardens and Sidesmen of the said Parish for the Time being, shall, from Time to Time, and at all Times hereafter, aid and assist the said Directors and Guardians to the best of their Power, and shall at all Times obey their Warrants and Orders relative to the Execution of this Act: And in case any Overseer of the Poor, Constable, or other Officer, shall neglect or refuse to obey such Warrants or Orders, every such Overseer of the Poor, Constable, or other Officer, so neglecting or refusing, shall be summoned, by Writing under the Hands of any three Directors and Guardians, to appear at the next Meeting of the said Directors and Guardians to be holden as aforesaid; and if such Overseer of the Poor, Constable, or other Officer so summoned, shall neglect or refuse to appear at such Meeting, or if appearing, he or any of them shall not sufficiently excuse or justify him or themselves, but shall, in the Judgment of the major Part of the said Directors and Guardians present at such Meeting, be adjudged guilty of disobeying such Warrant or Warrants, Order or Orders; that then, and in every such Case, all and every Person and Persons so adjudged guilty as aforesaid shall forfeit and pay any Sum not exceeding five Pounds; to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of any one Justice of the Peace in and for the said County of Middlesex; and such Forfeitures shall be paid to the Treasurer or Treasurers to the said Directors and Guardians, and shall, by him or them, be carried to the Account of the Poor's Rate of the said Parish, to be applied in Aid of the said Rate; but if any such Overseer of the Poor, Constable, or other Officer, so offending, and convicted as aforesaid, shall think himself aggrieved, that then it shall and may be lawful for such respective Overseer to appeal to the next General Sessions of the Peace to be holden for the said County against the Judgment of the said Meeting, and the Justices for the said County, at such Sessions assembled, shall and may hear and determine such Appeal, and may mitigate or set aside such Penalties in such Manner, and award such reasonable Costs, as they shall think proper; and the Judgment of such Justices, at such Quarter Sessions, shall be final, without any other Appeal.

Penalty for Refusal or Neglect of Duty.

Overseers, &c. aggrieved may appeal to the Sessions,

whose Judgment shall be final.

XLIX. And whereas divers Persons belonging to, and who ought by the Laws now in Force to be relieved by, the said Parish of Saint Mary le Bone, are found wandering and begging in the said Parish, and committing Acts of Vagrancy, and misbehaving themselves, by exposing in any indecent Manner their Persons or Limbs: And whereas divers Persons, by reason of their idle and disorderly living, neglect or refuse to maintain or threaten to desert their Families, not being able to maintain themselves, and if Power were given to apprehend such Persons, and send them to such Workhouse or Workhouses, there to be dealt with in Manner herein mentioned, it would tend to inure them to a Habit of Indolence, and make them useless to the Publick; be it therefore enacted by the Authority aforesaid, That the said Directors and Guardians shall and hereby have Power and Authority to receive, and to order and compel all and every Person found wandering and begging in the said Parish, or committing Acts of Vagrancy; and also all and every idle and disorderly Person, neglecting or refusing to maintain or threatening to desert their Families, not being able to maintain themselves, and who shall belong to, or ought, by any Law now in Force, to be relieved and provided for by the said Parish, to come into, work, dwell, and inhabit such Workhouse or Workhouses, as shall be erected in pursuance of this Act, and to detain, keep, maintain, and employ all such respective poor Persons therein, so long as it shall not appear to the said Directors and

Directors, &c. empowered to apprehend Vagrants, and all disorderly Persons neglecting to maintain their Families,

and Guardians, on the Part of any such poor Persons, that any of them respectively are of Ability, or can otherwise be sufficiently maintained and provided for without the Aid and Provision of the Directors and Guardians; and shall have Power and Authority to employ, set, and compel, all such Poor who shall be received, or come into, dwell, and be in the said Workhouse or Workhouses, during such their Abode and Residence there, and whilst maintained by the said Directors and Guardians, to do, execute, and perform such Work, Labour, Business, and Employ, as the said Directors and Guardians, at any of their said Weekly Meetings, shall think and judge such respective Poor are and shall be able and fit to do and perform, for the Use of the said Parish, and to detain and keep all such Persons found wandering and begging in the said Parish, and committing Acts of Vagrancy; and also all such idle and disorderly Persons, who shall have so deserted, threatened to leave, neglected or refused to maintain, his or their Families, and to set each of them to work in such Workhouse, during such Time, and until every such Person, by his or her Work or Labour there, shall have got and raised so much Money, above their Maintenance, as shall be sufficient to repay and reimburse to the said Directors and Guardians the Charges and Expences they shall have sustained in the maintaining and providing for every such Person, and his or her Family: And in case such Person shall not, by his or her Work and Labour, have gained so much Money as shall be sufficient to reimburse the said Directors and Guardians the Charges and Expences of having maintained him or her, or any of his or her Family, as aforesaid, and shall neglect or refuse to apply himself or herself to such reasonable Work or Labour as shall be given to him or her by the Governor or Master of such Workhouse, under the Directions aforesaid, then the said Directors and Guardians, at any of their Weekly Meetings, shall have Power to detain and keep such Person within such Workhouse or Workhouses to hard Labour for the Space of thirty Days, and there to cause him or her to be whipped during such thirty Days, as often, not exceeding three Times, as the said Directors and Guardians, at any of the said Weekly Meetings, shall think fit.

and to employ such Persons in useful Labour.

Further Powers respecting disorderly Persons.

How long Children may be kept in the Workhouse.

L. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, and they are hereby impowered to keep, maintain, provide for, employ, and detain, in such Workhouse or Workhouses, all such Children as shall be admitted into such Workhouse or Workhouses, and such poor Children shall continue in such Workhouse or Workhouses, under the Management of such Directors and Guardians, until every such Male Child shall be of the Age of seventeen Years, and every such Female Child of the Age of fifteen Years, provided such Children shall not be bound Apprentices, in Manner herein after mentioned; and that when they have respectively attained the Ages before mentioned, they be discharged from such Workhouse or Workhouses, those only excepted, who, from Sickness, Lameness, or other Infirmities, are incapable of providing for themselves.

LI. Provided always, That if such Male Children, when they have attained the Age of fifteen Years, or such Female Children, when they have attained the Age of fourteen Years, shall be hired as yearly Servants for the Space of one Year; then, and in such Case, the said Directors and Guardians are hereby impowered to discharge every such Child that shall have respectively attained the Ages of fifteen and fourteen Years.

Children may be sent to Service;

LII. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and Guardians, or any three or more of them, at any of their Weekly Committees, by Indenture, signed by them, by and with the Consent of any two Justices of the Peace in and for the County of *Middlesex*, at any Time before such Children shall arrive at such respective Ages as aforesaid, to bind any of such Children to be Apprentices where they shall see convenient, until such Child, being a Male, shall arrive at the Age of twenty-one Years, or until the Age of eighteen Years, or the Day of Marriage of such Child, being a Female: or to bind any of such Male Children to be Apprentices in the Sea Service, to any Captain, Master, or Owner, of any Ship or Vessel, in like Manner as Churchwardens and Overseers of the Poor, with the Assent of the Justices of the Peace, are, by the Laws in being, now impowered to do; and the Person or Persons to whom any such Child shall be bound Apprentice, shall be obliged to receive and provide for such Apprentice, in like Manner as by the Laws in being Persons are obliged to provide for Apprentices in the like Circumstances: And no Apprentice, so bound as aforesaid, shall, except with the Consent of the said Directors and Guardians, present at any of their Weekly Committees, be assigned or turned over to any other Person; and that the Person or Persons to whom any such Apprentice shall be so assigned or turned over, shall be obliged to receive and provide for him or her, in the same Manner, and under the same Penalties and Forfeitures, as the Person or Persons to whom such Apprentice was first bound as aforesaid was or were obliged to receive or provide for him or her.

or may be bound to be Apprentices.

No Apprentice to be turned over without Consent of Directors.

LIII. And be it further enacted, That if any of the poor Persons in any Workhouse or Workhouses, or other Houses, made use of for the Purposes of this Act, shall be found guilty of stealing, embezzling, taking, or carrying away, or causing to be stolen, embezzled, taken, or carried away, any or any Part of the Goods, Chattels, Furniture, Provisions, Cloathing, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things, the Property of the said Directors and Guardians, in the Judgment of the said Directors and Guardians, it shall and may be lawful to and for the said Directors and Guardians, at any of their Meetings to be held in pursuance of this Act (if they shall think the same most fit and expedient), to order such moderate Correction or Confinement to any such Offender or Offenders in any Workhouse or Workhouses, or other Houses made use of for the Purposes of this Act, instead of any Action or Indictment, as they shall think proper, any Law, Statute, or Usage, to the contrary notwithstanding.

How Persons guilty of embezzling Goods may be punished.

LIV. And be it further enacted by the Authority aforesaid, That if any Governor or Steward, or other Officer appointed, or Matron, or other Person whatsoever, employed by the said Directors and Guardians, shall purloin, embezzle, or wilfully misapply, any of the Monies, Materials, or Implements of Work,

Penalty on Servants purloining Money, Materials, &c.

Work, Provisions, Utensils, Goods, or Chattels, the Property of which are by this Act vested in the said Directors and Guardians, every such Offender shall not only be discharged from his or her Office, but shall also forfeit and pay the Sum of ten Pounds, or treble the Value of such Money, Materials, Implements of Work, Provisions, Utensils, Goods and Chattels, which shall be so purloined, embezzled, or misapplied; to be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of one of his Majesty's Justices of the Peace in and for the said County of *Middlesex*; and in case sufficient Distress shall not be found, then, and in every such Case, it shall and may be lawful to and for any one Justice of the Peace for the said County to commit such Offender to the Common Gaol, or House of Correction, for the said County, there to remain without Bail or Mainprize for any Space not exceeding three Months, nor less than one Month.

Directors may provide a convenient Stock of Materials for employing the Poor.

LV. And be it further enacted by the Authority aforesaid, That the said Directors and Guardians, or any five or more of them, shall and may, and are hereby authorised and impowered to keep, maintain, and employ, and to cause to be kept, maintained, and employed, in any Works, Trades, Manufactures, and Employments whatsoever, all and every the Poor maintained in any Workhouse or Workhouses, or any other Houses or Tenements made use of for the Purposes of this Act; and shall and may provide a convenient Stock of Flax, Hemp, Wool, Cotton, Thread, Iron, Stone, Wood, Leather, or other Materials, for the Employment of the Poor received into such House or Houses; and for that Purpose only may set up, use and occupy, any Trade, Mystery, or Occupation whatsoever, in such House or Houses, and may sell, vend, and dispose of such Goods, Wares, and Merchandise, as shall be manufactured or made by such Poor in such Workhouse or Workhouses, any Law, Statute, or Usage, to the contrary thereof in any wise notwithstanding.

How the Profit of their Labour is to be applied.

LVI. And be it further enacted by the Authority aforesaid, That all Monies arising from any Work or Labour done by the Poor in any Workhouse or Workhouses, or other Houses made use of for the Purposes of this Act, shall go in Aid of the Poor's Rate, and other Monies raised for carrying into Execution this and the said former Act, and shall be made use of for the Purposes of this and the said former Act.

Punishment for Cursing, Swearing, disobeying of Orders, &c.

LVII. And whereas many Persons maintained in publick Workhouses refuse to work, or are guilty of profane Cursing, Swearing, and abusive Language, of committing Waste of Provisions or other Materials or Things, of disobeying wholesome Orders and Regulations, and other Misdemeanours and Misbehaviour, and by the Laws now in being no Punishment can be inflicted upon them without committing them to the House of Correction, or County Gaol, which Commitments have been found not to answer the Purposes thereby intended; be it therefore enacted by the Authority aforesaid, That if any poor Person or Persons, who shall be maintained in any Workhouse or Workhouses, or other Houses for the Reception and Employment of the Poor of the said Parish, shall be guilty of profane Cursing, Swearing, or abusive Language, of committing Waste of Provisions or any other Materials or Things, of disobeying any Orders or Regulations made by the said Directors and Guardians, or the reasonable Commands of any Person or Persons by the said Directors and Guardians put in Authority over them, or any other Misdemeanours or Misbehaviour; that then, and in every such Case, it shall and may be lawful to and for the said Directors and Guardians, at any Meeting to be held in pursuance of this Act, to cause such Person or Persons so offending to be punished in such Workhouse, Workhouses, or other Houses, either by moderate Correction, Confinement, by setting them to hard Labour, or distinguishing them in Dress, Diet, or such other Method as may best tend to remedy such Offences in future, without committing such Offender to the House of Correction, any Law, Statute, or Usage, to the contrary thereof in any wise notwithstanding.

Encouragement may be given to industrious and skilful Poor.

LVIII. And to the End that all the poor People in the said House may be encouraged to apply themselves to such Tasks in which they shall be employed with Diligence and Humility, be it further enacted by the Authority aforesaid, That out of the Profits arising from the Work which shall be done by such poor Persons in the Workhouse or Workhouses, such Rewards shall be distributed to the Industrious and Skilful, in proportion to the Quantity and Perfection of their Work, as to the said Directors and Guardians, at any of their said Weekly Committees, shall appear reasonable, so as no Part of the Money paid in such Gratuities shall be expended in the Purchase of unwholesome or unnecessary Liquors, the drinking of which such Governor or Governors, Steward or Stewards, and Matron or Matrons, are hereby strictly enjoined to prohibit and prevent.

Sidesmen may act as Churchwardens.

LIX. And be it further enacted by the Authority aforesaid, That all and every the Sidesmen of the said Parish for the Time being, nominated in and by the said former Act to assist the Churchwardens of the said Parish for the Time being in the Execution of their Office, shall, by and with the Consent and Appointment of the Churchwardens of the said Parish for the Time being, or either of them, to be signified in Writing, signed by every such Churchwarden respectively, do, perform, and execute all and every such Matter and Thing as is directed by Law to be done, or as usually done and performed by Churchwardens, in as full and ample a Manner as if such Matter and Thing had been done, performed, and executed, by such Churchwardens; and such Matters or Things so done, performed, and executed, shall be good, valid, and effectual in Law.

Directors and Guardians to appoint an Officer to relieve casual Poor.

LX. And whereas it may happen, that, by Casualties or sudden Illness, many poor Persons within the said Parish may stand in need of immediate Relief, before Application can be made for the same at the Weekly Meeting to be held in pursuance of this Act; for Remedy whereof, be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Directors and Guardians, or any nine or more of them, at any General Meeting to be held for that Purpose, on special Notice given ten Days at least before such Meeting, specifying the Cause thereof, to nominate and appoint, under their Hands and Seals, one or more fit Person or Persons for the Purpose of relieving such casual Poor; and he or they shall thereupon be authorised (in such Manner, for so long Time, and by such Ways and Means, as the

said

said Directors and Guardians, or any nine or more of them, at any General Meeting, shall, from Time to Time, direct and appoint) to pay, or cause to be paid, upon Application made to him or them, or upon his or their own Knowledge of the Fact, and Necessity of the Case, unto every such poor Person, any reasonable Sum or Sums of Money, for his, her, or their Support, until the next Weekly Committee of the Directors and Guardians shall be held in pursuance of this Act; and such Person or Persons who shall have given such Relief, shall, at the next Weekly Meeting as aforesaid, lay before such Meeting the State and Circumstances of the Person or Persons so relieved, and also an Account in Writing of the Sum or Sums of Money that shall have been so expended; and the said Committee shall and may then give such further Directions for the Maintenance and Relief of every such poor Person as to them shall seem expedient, any Law, Statute, or Usage, to the contrary notwithstanding.

Officer to account for Money expended, &c. at Weekly Meetings.

LXI. And be it further enacted, That it shall and may be lawful for the said Directors and Guardians, upon any Appointment of such Person or Persons as aforesaid, to notify the same in Writing to the Churchwardens, Sidesmen, and Overseers of the Poor of the said Parish, and to direct and order them, and each of them, to forbear giving any Relief to any poor Person, by or under any Authority derived from their and each of their Office or Offices respectively (except by any legal Order from any of his Majesty's Justice or Justices of the Peace in and for the said County); and if, after such Notice given, they, or any of them, shall, by any Account delivered into the Vestry of the said Parish, or to the said Directors and Guardians, or otherwise, make any Charge or Demand on the said Parish for Money expended in the Relief of poor Persons (except by any legal Order from any of his Majesty's Justice or Justices of the Peace in and for the said County), it shall and may be lawful for the said Vestry, and also for the said Directors and Guardians, to reject and refuse to pay every such Charge and Demand, as illegal and of no Effect, any Law, Statute, or Usage, to the contrary notwithstanding.

Notice to be given of the Appointment of such Officer to Churchwardens, &c. with Orders to them not to relieve casual Poor. Money expended after such Orders not to be repaid.

LXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any nine or more of the said Directors and Guardians, at any of their General Meetings to be held in pursuance of this Act, to grant Certificates, under their Hands, to any Person whose legal Settlement shall be in the said Parish of *Saint Mary le Bone*, and who shall be willing to remove, or shall have removed out of the said Parish; and which Certificates, under the Hands of nine of the said Directors and Guardians, and attested by their Clerk for the Time being, and signed by two Justices of the Peace for the said County, as Certificates are now by Law directed to be, shall be good and valid to all Intents and Purposes; and no other Certificate whatsoever to be granted within the said Parish shall be valid, or of any Effect, any Law, Statute, or Custom, to the contrary notwithstanding.

Directors, &c. may grant Certificates to Persons willing to remove.

LXIII. And be it further enacted by the Authority aforesaid, That in all Cases where one or more Justice or Justices of the Peace is or are impowered, by the Laws now in being, to proceed on the Complaint of the Churchwardens and Overseers of the Poor of any Parish or Parishes, or of any of them, it shall and may be lawful for such Justice or Justices of the Peace, and he and they are hereby required to proceed on the Complaint of any of the said Directors and Guardians, or of such Person or Persons as shall have been duly appointed by any Writing under the Hands and Seals of seven or more of the said Directors and Guardians for that Purpose, in such and the like Manner, to all Intents and Purposes, as if such Complaint had been made by such Churchwardens and Overseers, or any of them.

How Justices are to proceed on Complaint of Directors and Guardians.

LXIV. And be it further enacted by the Authority aforesaid, That any Justice of the Peace in and for the said County of *Middlesex* shall and may do any Act or Deed relative to the Office of a Justice of the Peace, notwithstanding he shall or may at the same Time be a Director and Guardian of the Poor for the Time being, for carrying into Execution the several Purposes of this Act; and shall and may act in the Execution of this Act, at any Place within the said Parish, or elsewhere, notwithstanding he shall be an Inhabitant of the said Parish, or pay the Rates thereof, any Law, Statute, or Usage, to the contrary notwithstanding.

Justices may act notwithstanding their being Directors.

LXV. And be it further enacted by the Authority aforesaid, That any Inhabitant of the said Parish shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, or otherwise, in, about, touching, or concerning this Act, or the Matters or Things herein contained, or any Matter or Thing touching or concerning the said Parish of *Saint Mary le Bone*, be and be deemed a competent Witness, notwithstanding his or her paying the Rates of the said Parish, any Law, Statute, or Usage, to the contrary notwithstanding.

Inhabitants deemed competent Witnesses.

LXVI. And be it further enacted, That all Forfeitures and Penalties, or Moieties of Forfeitures and Penalties, which by the Laws now in being, or hereafter to be made, ought to be applied to the Use of the Poor of the said Parish, shall be paid into the Hands of the Treasurer or Treasurers to the said Directors and Guardians for the Time being, and applied to the Purposes of this Act, any Law, Usage, or Custom, to the contrary notwithstanding.

Forfeitures and Penalties to be paid to the Treasurer.

LXVII. And be it further enacted, That at all Meetings to be held in pursuance of this Act, the Directors and Guardians present at such Meeting shall pay and defray their own Expences.

Directors, &c. to bear their own Expences.

LXVIII. And be it further enacted, That all the Clauses and Powers in the said Act of the eighth Year of his present Majesty's Reign contained, except such as are hereby varied, altered, or repealed, shall extend, and be construed to extend, to this Act, as fully and effectually as if the same were repeated and re-enacted in this present Act.

Certain Clauses in Act 8 Geo III. extended to this Act.

LXIX. And be it further enacted by the Authority aforesaid, That all Penalties, Forfeitures, and Fines, hereby inflicted, or authorized to be imposed, if the Manner of levying and recovering thereof is not herein otherwise directed, shall, upon Proof of the Offences respectively before any one Justice of the Peace for the County of *Middlesex*, or any one Justice of the Peace for the County or Place wherein the Offender shall be and reside, either by the Confession of the Party or Parties offending, or by the Oath of one or more Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby

Penalties and Forfeitures how to be recovered and applied.

hereby impowered and required 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 unto 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, paid to the Treasurer or Treasurers of the said Directors and Guardians, and applied to the Purposes of this Act: And in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor less than fourteen Days, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

How Justices may proceed for Conviction of Offenders.

LXX. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every 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 Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

Form of Conviction.

BE it remembered, That on the _____ in the Year of our Lord
 A. B. is convicted before C. D. one of his Majesty's Justices of the Peace
 for the County of _____ (specifying the Offence, and Time and Place when and where the
 same was committed, as the Case shall be.)

Given under my Hand and Seal, the Day and Year first above written.

Persons aggrieved may appeal to the Quarter Sessions.

LXXI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think him or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace to be holden for the County of *Middlesex*, within three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, eight Days Notice at least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Directors and Guardians, and within four Days after such Notice entering into Recognizance before some Justice of the Peace for the County of *Middlesex*, with two sufficient Sureties conditioned to try such Appeal, and abide the Order of, and pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper; and the Determinations of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Proceedings not to be quashed for want of Form, nor removable by Certiorari.

LXXII. And be it further enacted by the Authority aforesaid, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed for want of Form, or removed nor removable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on Behalf of the Party distraining before such Action brought.

Writings to be without Stamps.

LXXIII. And be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Bond, Assignment, Indorsement, Transfer, or other Security for the borrowing or raising of Money, or other Writing whatsoever, relating to the Execution of, or in pursuance of, this Act, shall be chargeable with any Stamp-duty whatsoever.

Limitation of Actions.

LXXIV. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced or brought against any Person or Persons for any Thing done in pursuance of this Act, or any of the Powers thereby given, or in any ways in relation to the Premises, until twenty-one Days Notice shall have been thereof given in Writing to the Clerk or Treasurer to the said Directors and Guardians, nor after Satisfaction or Tender of Amends shall have been made; and every such Action or Suit shall be commenced and brought within the Space of six Calendar Months next after the Cause of Complaint shall arise, and not afterwards, and shall be laid and brought in the County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the special Matter, in Evidence, on any Trial to be had thereupon, and if it shall appear to be done in pursuance of this Act, or that such Action or Suit shall be brought before twenty-one Days Notice being given as aforesaid, or before the Time herein before limited in that Behalf, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall 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

General Issue.

shall and may recover treble Coſts, and have and be intitled to the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Cafes of Law. Treble Coſts.

LXXV. And it is hereby enacted and declared by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act; and Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Publick Act.

C A P. XXII.

An Act for veſting Part of the Garden of the Society of *Lincoln's Inn*, in the County of *Middleſex*, in the Accountant General of the Court of Chancery, and his Succeſſors, for ever, for the Purpoſe of erecting thereon Offices for the Accountant General, and for the Register of the ſaid Court.

WHEREAS by an Act, paſſed in the fourteenth Year of the Reign of his preſent Maſteſty (intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Register and Accountant General of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices*), it is, amongſt other Things, enacted, That out of the Funds therein particularly mentioned, after paying and defraying the Charges and Expences attending the paſſing and obtaining the ſaid Act, a Sum of ten thouſand Pounds be applied, as the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, ſhall, in his or their Diſcretion, deem neceſſary, in erecting proper and convenient Offices for the ſaid Register and Accountant General of the ſaid Court, ſeparate and detached from each other; and in purchaſing ſuch Ground and Houſes as ſhall be neceſſary for thoſe Purpoſes; and for preſerving the ancient Books of Entries of Decrees and Orders of the ſaid Court; and that the Ground and Houſes to be purchaſed for the Purpoſe of erecting the ſaid Offices for the ſaid Register and Accountant General be conveyed to and veſted in *Thomas Anguiſh* Eſquire, Accountant General of the ſaid Court, and his Succeſſors in the ſaid Office for the Time being, for ever, in Truſt, to and for the Purpoſes in the ſaid Act mentioned, concerning the Offices of the ſaid Register and Accountant General, and for no other Uſe or Purpoſe whatſoever: And whereas the Honourable Society of *Lincoln's Inn* are Owners of a convenient Spot of Ground, Part of the ancient Garden belonging to the ſaid Society, which will in all reſpects answer the Purpoſes intended by the ſaid recited Act, upon which the ſaid Offices may be erected, ſufficiently detached from any other Buildings, and the Worſhipful the Maſters of the Bench of the ſaid Society have agreed to diſpoſe of ſo much Ground, Part of the ſaid Garden, as ſhall be neceſſary for the Purpoſe of erecting the ſaid Offices, to be applied to that Uſe, (to wit), All that Piece or Parcel of Ground, ſituate on the Eaſt Side of the Garden next *Chancery Lane*, abutting South on a Way intended to be made into the ſaid Inn; Eaſt, on Ground adjoining to *Chancery Lane* aforeſaid, intended to be laid open; North, on Ground granted, or agreed to be granted, to the Six Clerks, whereon an Office is intended to be erected; and Weſt, on Ground alſo belonging to the ſaid Society, intended to be laid open; containing in Breadth from Eaſt to Weſt, at the South End, ſeventy-seven Feet ſeven Inches of Aſſize, with a Break Northward of four Inches in the Center of the ſaid South End thirty-four Feet in Length; containing in Length, from North to South, on the Eaſt Side, ninety-seven Feet ten Inches and three Quarters of Aſſize, with a Break Weſtward of eleven Feet ſix Inches and an Half in the ſaid Eaſt Side, commencing at the Diſtance of twenty-one Feet nine Inches and an Half from the South End; and containing in Breadth from Eaſt to Weſt, at the North End, fifty-four Feet ſix Inches of Aſſize; and in Length from North to South, on the Weſt Side, ninety-seven Feet ten Inches and three Quarters of Aſſize, with a Break Eaſtward of eleven Feet ſix Inches and an Half in the ſaid Weſt Side, commencing at the Diſtance of twenty-one Feet nine Inches and an Half from the South End; which Piece or Parcel of Ground is ſituated on a Parallel with the Buildings now carrying on in the ſaid Garden, and commences on the North Boundary thereof at the Diſtance of forty-two Feet nine Inches Southward of the Center of the ſaid Buildings; and the ſaid Ground hath been approved by the Right Honourable the Lord High Chancellor, as proper for the Site of the ſaid Buildings; but in as much as the Soil and Freehold of the ſaid Garden is veſted in Truſtees, upon Truſt for the ſaid Society, and a good Title cannot be made to the ſaid Spot of Ground without the Aid of Parliament; be it therefore 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 the Authority of the ſame, That ſuch Plot or Parcel of the ſaid Garden, belonging to the ſaid Society of *Lincoln's Inn*, be, and the ſame is hereby veſted in *Thomas Anguiſh* Eſquire, Accountant General of the ſaid Court of Chancery, to hold to him, and his Succeſſors in the ſaid Office for the Time being, for ever, in Truſt, to and for the Purpoſes in the ſaid recited Act of the fourteenth Year of the Reign of his preſent Maſteſty, and in this Act mentioned, concerning the Offices of the ſaid Register and Accountant General, and to and for no other Uſe, Intent, or Purpoſe whatſoever; and that the ſaid Offices, when erected, be free from all Taxes, Rates, and Aſſeſſments whatſoever, ſave and except ſuch as the Accountant General and Register, or either of them, do now pay in reſpect of their ſaid Offices.

II. Provided nevertheleſs, That the Aſſeſſments to the Land Tax, now paid or payable by the ſaid Offices, or either of them, be continued to be paid within the Diſviſion of the Liberty of the Rolls, wherein the ſame have been hitherto paid. Proviſo.

III. And be it further enacted, That the Charges and Expences attending the paſſing and obtaining this Act be paid and defrayed out of the ſame Funds, and in like Manner, as the Charges and Expences attending How the Expences of this Act are to be paid.

attending the passing and obtaining the said recited Act of the fourteenth Year of the Reign of his present Majesty are thereby directed.

C A P. XXIII.

An Act for building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*.

Preamble.

WHEREAS the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*, consists of two Districts, called the District of *Saint James*, and the District of *Saint John*: And whereas the Poor of the said Parish are very numerous, and the present Workhouse is not large enough to contain them, and a considerable Debt for their Relief has been unavoidably contracted: And whereas the present Method of raising and applying Money for the Maintenance of the Poor of the said Parish is attended with many Inconveniencies: And whereas, if proper Powers were granted for relieving, governing, and employing the said Poor, and for paying the said Debt, and for enlarging the present or building a new Workhouse, and for raising and applying Money for those Purposes, it would contribute greatly to the Ease of the Inhabitants of the said Parish, and the Good of the Community: 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 Reverend *William Sillon, Joseph Keeling, George Friend, Richard Gomm, William Blackborrow, Rivers Dickenson, Roger Griffin, John Pay, Benjamin Long, Thomas Chadley, Samuel Search, Hugh Dixon, Robert Nash, John Fowler, Francis Devalingen, Christopher Bartholomew, Joseph Barron, James Gibson, William Gibson, John Olney, John Taylor, William Amery, John Pullin, Thomas Kilburn, Morgan Austin, James Willshire, John Severn, William Crank, James Holliday, Robert Hawkins, Henry Sargood, George Sedgley, Joseph Brayne, Peter Crawford, Thomas Crawford, Robert Skeritt, John Thorpe, Andrew Walker, Thomas Mitchell, John Robinson, the Reverend John Davies, Thomas Collier*, for and on Behalf of the District of *Saint James*; and the Reverend Sir *George Booth* Baronet, the Reverend *Roger Parry, Joseph Faikney, Heaton Wilkes, William Nightingale, William Montague, George Jon, Richard Rugg, George Stow, Uriah Bristow, Gilbert Bearblock, James Emerson, William Fosbrook, John Court, William Story, John Barton, William Wildman, James Upjohn, Thomas Kirk, Francis Peter Mallett, Benjamin Lyon*, for and on Behalf of the District of *Saint John*, together with the Ministers, Churchwardens, and Overseers of the said two Districts for the Time being, shall be, and are hereby appointed Guardians or Governors of the Poor of the said Parish, for putting this Act in Execution.

Guardians appointed.

New Guardians, &c. to be elected in case of Death, &c.

II. And be it further enacted, That when any one or more of the Persons hereby appointed Guardians or Governors, as aforesaid, shall die, or refuse to act, or shall remove out of the said Parish, it shall and may be lawful for the Inhabitants of both the said Districts (paying to the Rates of the said Parish for Church and Poor) to assemble and meet together in the Vestry-room of the said Parish, on *Tuesday* in *Easter Week* in every Year, or within one Month after, to elect and appoint one or more Person or Persons to be Guardian or Guardians, Governor or Governors, in the Room of the Guardian or Guardians, Governor or Governors, so dying, or refusing to act, or removing out of the said Parish: And all Persons who shall be so elected and appointed shall be and are hereby vested with the same Powers and Authorities as the Persons in whose Places they shall respectively be elected and appointed were invested with.

Number of Guardians not to exceed sixty-three. In what Manner to be elected to supply Vacancies.

III. Provided always, That the Number of the said Guardians and Governors shall not exceed sixty-three; and that, upon making the Election or Appointment upon the *Tuesday* in *Easter Week*, or within one Month after, as aforesaid, such Persons only as are Inhabitants of the District of *Saint James* shall be elected to fill up the Vacancies occasioned by the Death, Refusal to act, or Removal, of such Guardians or Governors as were Inhabitants of the said District; and such only as are Inhabitants of the District of *Saint John* shall be elected to fill up the Vacancies occasioned by the Death, Refusal to act, or Removal, of such of the Guardians or Governors as were Inhabitants of the said District; so that the Numbers be forty-two for the said District of *Saint James*, and twenty-one for the said District of *Saint John*.

Qualification of Guardians, &c.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Guardian or Governor in the Execution of this Act, unless he shall be assessed and pay to the Poor's Rate of the said Parish at the annual Sum of twenty Pounds, or be possessed of a real or personal Estate to the Value of five hundred Pounds (except the respective Minister or Churchwardens of either District, or the Overseers of the Poor of the said Parish, and then only during the Time they shall continue in Office); And if any Person, not being so qualified, shall presume to act as a Guardian or Governor in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of thirty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient for the Prosecutor to prove that the Person so prosecuted acted as a Guardian or Governor in the Execution of this Act.

Penalty on Persons acting and not duly qualified.

V. Provided also, That no Victualler, nor any Person who shall sell Ale, Wine, or Spirituous Liquors, by Retail, shall be capable of acting as a Guardian or Governor in the Execution of this Act, unless he shall be a Churchwarden or Overseer of the Poor of the said Parish, and then only during the Time he shall continue to be Churchwarden or Overseer of the Poor, as aforesaid.

Time and Place of the first Meeting of Guardians.

VI. And be it further enacted, That the said Guardians or Governors shall meet at the Workhouse of the said Parish on the second *Tuesday* after the passing of this Act, and shall then and there proceed to the Execution of this Act; and they are hereby empowered to adjourn from Time to Time, and meet at the same

same Place, or at any other Place within the said Parish: And if at any Meeting so appointed there shall not appear a sufficient Number of Guardians or Governors to act, or to adjourn to another Day; or in case the said Guardians or Governors so assembled shall omit, neglect, or refuse to adjourn themselves; then, and in every such Case, any two of the said Guardians or Governors, or the Clerk to the said Guardians or Governors, shall appoint a Meeting of the said Guardians or Governors to be held at the Workhouse of the said Parish, publick Notice whereof shall be given, by affixing the same in Writing upon the principal Doors of the Churches of *Saint James* and *Saint John*, within the said Parish, at least three Days before such Meeting.

If a sufficient Number do not attend, two Guardians may appoint another Meeting.

Inhabitants to meet on Easter Tuesday yearly, for the Purpose of appointing Overseers of the Poor, &c.

Overseer refusing or neglecting his Duty to forfeit 10*l*.

VII. And be it further enacted, That the Inhabitants of the said Parish, paying to the Church and Poor's Rates, are hereby authorized and required to assemble and meet together in the Vestry-room belonging to the said Parish on *Easter Tuesday* in every Year, or within ten Days after; and the major Part of the Inhabitants so assembled shall then and there make out a List of eight fit and proper Persons, being Inhabitants of the said District of *Saint James*, to be Overseers of the Poor of the said Parish; and no List shall be legal but that made as above in the Vestry-room of the said Parish; which List shall be returned to any two or more Justices of the Peace for the County of *Middlesex*, acting in the Division of *Finsbury*, at a Petty Sessions to be held for that Purpose, whereof publick Notice shall be given in both the said Churches of *Saint James* and *Saint John*, on the *Sunday* next preceding the holding of such Petty Sessions, of the Time and Place of holding the same; and out of which List the Justices of the Peace, or the major Part of them then present, shall nominate and appoint four Persons, being Inhabitants of the District of *Saint James* as aforesaid, to be Overseers; and the Overseers so nominated, together with the Churchwardens of the said Parish, shall be Overseers of the Poor of the said Parish for the Year then next ensuing, and shall, within three Days after such Nomination, and Notice thereof given, or left at his or their Place or Places of Abode, take that Office and Duty upon him or them, upon Pain that every such Person refusing or neglecting so to do shall forfeit the Sum of ten Pounds; and any two Justices of the Peace for the said County, acting in the Division of *Finsbury*, are hereby authorized and empowered to nominate some other fit Person or Persons to the said Office in the Place of him or them refusing or neglecting as aforesaid, and the Person or Persons so nominated in the Room of such Person or Persons shall take such Office or Duty upon him or them, under Pain of forfeiting the like Sum of ten Pounds for every such Refusal or Neglect, to be recovered in Manner herein after mentioned; all which said Forfeitures shall be paid to the Treasurer who shall be appointed to receive the Monies for the Relief of the Poor of the said Parish, and shall be applied for and towards the Relief of such Poor.

Time and Place of the Churchwardens, &c. meeting to ascertain the Monies necessary to be raised.

VIII. And be it further enacted, That the Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish, or the major Part of them, are hereby authorized and required to assemble and meet together in the Vestry-room of the said Parish on *Tuesday* in *Easter Week*, or oftener, as Occasion shall require, Notice whereof shall be given in both the said Churches of *Saint James* and *Saint John*, on the *Sunday* next preceding such Meetings respectively; and the said Churchwardens, Overseers of the Poor, and Inhabitants, or the major Part of them, so assembled, shall ascertain the Sum or Sums of Money necessary to be raised within the Limits of the said Parish for the Relief of the Poor, and other the Ends and Purposes of this Act.

Churchwardens, &c. twenty Days after the Sums are ascertained, shall meet to settle the Rates;

IX. And be it further enacted, That the Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish, shall assemble and meet together in the Vestry-room of the said Parish, within twenty Days after the said Sum or Sums of Money shall have been ascertained, as aforesaid (due Notice having been given in both the said Churches on the *Sunday* preceding such Meeting in Manner aforesaid), and at such Meeting and Meetings shall and are hereby authorized and required to make and sign one general equal Pound Rate or Assessment, as near as may be, for and towards the Relief of the Poor, and for other the Ends and Purposes of this Act, upon all and every Person and Persons who do or shall inhabit, hold, occupy, or enjoy any Land, House, Shop, Warehouse, Coach house, Stable, Cellar, Vault, or any other Building, Tenement, or Hereditament, within the said Parish, and on every other Person and Persons, who by Law is, are, or shall be chargeable or assessable for or towards the Relief of the Poor, as the said Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish, at such Meeting and Meetings, shall think necessary and proper; which said Rates or Assessments, so to be made, shall be made and laid according to the yearly Rent or Value of the Premises; and the said Rates or Assessments shall be entered in a Book or Books, to be provided for that Purpose, and shall be allowed by two of his Majesty's Justices of the Peace for the County of *Middlesex*, acting for the *Finsbury* Division, or any two neighbouring Justices for the said County, and Notice thereof given in both the said Churches on the *Sunday* next after the same shall be allowed.

and shall enter them in a Book, and be allowed by two Justices.

X. Provided always, and be it enacted, That nothing in this Act shall extend, or be construed to extend, to tax, rate, or assess, for any of the Purposes thereof, any Part of the Gaol, commonly called *New Prison*, at *Clerkenwell*, nor of the House of Correction, both situate in the Parish of *Saint James, Clerkenwell*.

This Act not to extend to *New Prison*, or the House of Correction.

XI. And be it further enacted, That if the said Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish, shall at any Time refuse or neglect to assemble and meet together, or having so met, shall refuse or neglect to ascertain such Sum or Sums of Money, in Manner as aforesaid; or shall refuse or neglect, within twenty Days after such Meeting, to make such Rates or Assessments as aforesaid; or in case such Rates or Assessments shall be deficient to answer the Purposes of this Act; that then, and in either of the said Cases, and as often as it shall happen, it shall and may be lawful to and for the said Churchwardens and Overseers of the Poor, and they are hereby required to meet together at the Workhouse, or in the Vestry-room of the said Parish, or such other Place in the said Parish as they shall appoint for that Purpose, and then and there make one general equal Pound Rate or Assessment, as near as may

If Vestrymen, &c. neglect to meet for making Rates, the Churchwardens and Overseers may do it.

be, in Manner aforesaid, for and towards the Relief of the Poor, and for paying such Monies as have been necessarily expended under or in the due Execution of this Act; and therein equitably and proportionably rate and assess all and every Person and Persons who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Tenement, Coach-house, Stable, Cellar, Vault, or any other Building or Hereditament within the said Parish, and any other Person or Persons who by Law, or under this Act, are chargeable and assessable for and towards the Relief of the Poor, as the said Churchwardens and Overseers of the Poor, or the major Part of them, at such Meeting or Meetings, shall think fit and proper to be rated and assessed; and which said Rates or Assessments, so to be made and signed by the said Churchwardens and Overseers of the Poor, shall be allowed by two of his Majesty's Justices of the Peace for the said County, acting within the Division of *Finbury* aforesaid, or any two neighbouring Justices for the said County; and Notice thereof shall be given in both the said Churches the *Sunday* next after the same shall be allowed as aforesaid.

Rates so made by the Churchwardens and Overseers to be valid.

XII. And be it further enacted, That the Rate or Rates, Assessment or Assessments, so to be made by the said Churchwardens and Overseers, shall be deemed and taken to be as good, valid, and effectual, and shall and may be collected and levied in like Manner, as if the same had been ascertained and made by the said Churchwardens, Overseers of the Poor, and Inhabitants, assembled as aforesaid; any Law, Statute, or Usage, to the contrary notwithstanding.

Landlords of Houses, or their Tenants, liable to pay the Rates.

XIII. And whereas there are divers Houses in the said Parish which are let in separate Apartments, and other Houses let ready furnished to Lodgers, by which the Payment of the Rates or Assessments to be made by virtue of this Act is or may be evaded; for Remedy whereof, be it enacted, That the Landlord or Owner of each and every such House and Houses, or his or their Tenant, who shall let out his or her House or Houses in separate Apartments, or ready furnished, to a Lodger or Lodgers, shall be deemed and taken to be the Occupier or Occupiers of such House or Houses to all Intents and Purposes, and shall be liable and subject to the Payment of the Rates or Assessments by this Act directed to be raised and levied, whether he, she, or they, be rated or not.

Persons occupying separate Apartments liable to pay the Rates;

XIV. And, for the more easy Recovery of the said Rates or Assessments, be it further enacted, That each and every Person and Persons so renting or occupying any separate Apartment in such House or Houses, or ready-furnished House, shall be liable and compellable to the Payment of the same; to be recovered by Distress and Sale of the Goods and Chattels of each and every Person so renting or occupying the same, in like Manner as the Rates by this Act are to be levied and recovered.

and may deduct them out of their Rents.

XV. Provided always, That each and every such Occupier or Occupiers who shall pay such Rates or Assessments, or from whom the same shall be recovered, shall and may deduct the same from and out of the Rent due and payable, or to become due and payable, from him, her, or them, to the respective Landlord or Owner; and the Receipt for such Payment shall be a sufficient Discharge to such Tenant or Tenants, Occupier or Occupiers, from his, her, or their said Landlord, for so much Money as he, she, or they, shall pay, or which shall be levied on him, her, or them, in the Manner directed by this Act.

Landlords not to be charged for increased Rent. Power to compound for Houses not exceeding 10l. per annum.

XVI. Provided also, That no such Landlord or Owner shall be charged with, or liable to pay for, any increased Rent, reserved or made payable for or on account of his paying such Rates.

XVII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Guardians or Governors, or any seven or more of them, to compound with the Owner or Owners of any Houses, or other Buildings, within the said Parish, the annual Rent or Value of each such House or Building being under ten Pounds, for the Rates by this Act authorized to be laid, so as in such Composition there be not remitted to any such Owner more than One-third of the Rate by this Act intended to be laid upon such Premises respectively.

How Persons removing from, or coming into, Houses are to pay the Rates.

XVIII. And whereas Persons frequently enter and occupy Lands, Houses, Tenements, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, or Hereditaments, Part of the Year, or Quarter only, by reason whereof great Sums of Money are annually lost; be it therefore enacted, That where any Person or Persons shall come into or occupy any House, Land, Tenement, Shop, Warehouse, Coach-house, Stable, Cellar, or other Hereditament or Premises, or out of or from which any other Person assessed or liable to pay shall be removed, or which, at the Time of making such Rate or Assessment, was empty or unoccupied; that then, every Person removing from, and every Person so coming into, or occupying the same, shall be liable to pay such Rate, in proportion to the Time that such Persons occupied or held the same respectively, in the same Manner as if such Person so removing had not removed, or such Person so coming in, or occupying, had been originally rated and assessed in such Rate or Assessment; which said Proportion shall be ascertained by the said Guardians or Governors, or any five or more of them; to be levied and recovered in like Manner as the Rates by virtue of this Act are to be levied or recovered.

Time of Commencement of the Rates.

XIX. And be it further enacted, That the first Rate or Rates, to be made in pursuance of this Act, shall commence from the twenty-fourth Day of *June* next; and every future Rate or Rates shall commence from the Time that the last preceding Rates ended, and not otherwise; and the Monies therein and thereby charged and assessed shall be payable and recoverable in Manner hereafter directed.

After June 24, no other Rates to be made.

XX. Provided always, and be it further enacted, That no Rate or Rates for the Relief of the Poor of the said Parish shall be made other than is in and by this Act directed, after the said twenty-fourth Day of *June* next.

Agreements between Landlords and Tenants not to be vacated.

XXI. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching the Poor's Rates of the said Parish; but that every Person who, by virtue of any such Contract or Agreement, is or shall be obliged to pay the said Rates, shall, in Lieu thereof, be obliged, during the Continuance of such Contract, Covenant, or Agreement, to pay the Rates hereby directed to be made, or so much

much thereof as shall be deemed reasonable by two of his Majesty's Justices of the Peace for the said County, acting in the Division of *Finbury* aforesaid, or any two neighbouring Justices for the said County, in case any Difference or Dispute shall arise about the Proportion thereof.

XXII. And be it further enacted, That the said Guardians or Governors, or any five or more of them, shall and may, from Time to Time, by any Writing or Writings, under their Hands and Seals, appoint one or more Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, and such other Officers and Servants as they shall think necessary for the Purposes of this Act; and shall and may take such Security as they shall think proper, from such Treasurers, Clerks, Collectors, and other Officers, so to be appointed as aforesaid, for the due Execution of their respective Offices, and for the true and faithful accounting for all Monies which shall come to their Hands by virtue of this Act; and may likewise, from Time to Time, remove such Treasurers, Collectors, Clerks, or other Officers or Persons, and appoint others in the Room of such of them as shall be so removed, or shall die; and also shall and may, from Time to Time, out of the Monies to be raised by virtue of this Act, pay, or cause to be paid, such Salaries, or other Allowances, as they shall judge reasonable to be paid or made, to the Officers, or other Persons so appointed, for and in Consideration of his and their Office and Offices respectively, and to such other Person or Persons as have been or shall be aiding and assisting in and about the Execution of this Act; provided that the Salary or Allowance to be made to such Collector or Collectors shall not exceed the Sum of Three-pence in the Pound of the Money by him or them collected in pursuance of this Act.

XXIII. And be it further enacted, That the Collector or Collectors, to be appointed as aforesaid, shall be, and is or are hereby empowered to collect and receive the Rates or Assessments to be made by virtue or in pursuance of this Act; and shall pay the Money, so by him or them collected or received, to such Person or Persons as the Churchwardens, Overseers of the Poor, and the said Guardians or Governors, or any seven or more of them, shall appoint to receive the same; and that four Times at least in every Year, or as often as the said Guardians or Governors, or any seven or more of them, shall require it, an Account, from the Book or Books to be kept by the said Collector or Collectors, shall be fairly stated, and signed by the said Collector or Collectors, and also verified upon Oath, if thereunto required by the said Guardians or Governors, or any five or more of them, which Oath the said Guardians and Governors, or any one or more of them, are and is hereby authorised and empowered to administer, and delivered by him or them to such Guardians or Governors as aforesaid, or to any seven or more of them, who are hereby empowered to discharge the said Collector or Collectors of all Monies which he or they shall have truly accounted for.

XXIV. And be it further enacted by the Authority aforesaid, That if any Treasurer, Clerk, Collector, or any other Officer or Servant, who shall or may hereafter be appointed by the said Guardians or Governors in the Execution of this Act, or any Part thereof, shall exact, demand, take, or accept, any Fee or Reward whatsoever, other than such Salaries and Rewards as shall be appointed, allowed, and approved of, by such Guardians or Governors as aforesaid, for or on account of any Thing done or to be done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the Guardians or Governors for putting this Act in Execution, or on any Account whatsoever relating to the Execution thereof; or shall any way be concerned or interested in any Bargain made or to be made by such Guardians or Governors, or any of them, for any of the Purposes intended by this Act; every Person so offending shall for ever be incapable of being employed under this Act, and shall, over and above, forfeit and pay the Sum of fifty Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, within six Months next after the Offence committed; wherein no Protection, Escoin, Wager of Law, or more than one Imparance, shall be allowed.

XXV. And be it further enacted, That the Churchwardens and Overseers of the Poor of the said Parish for the Time being, and the Treasurer or Treasurers, Collector or Collectors, and all other Persons who shall collect or receive any of the Monies arising by virtue of, or under, or in pursuance of, this Act, or otherwise, for the Benefit of the Poor of the said Parish, by virtue of their respective Offices, shall, under their respective Hands, and in such Manner, and at such Times and Places, as the said Guardians or Governors, or any five or more of them, shall direct, deliver to the said Guardians or Governors, or any five or more of them, or to their Clerk for the Time being, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of their respective Offices, or of this Act, and also of all Monies which shall have been by them respectively received, and how much thereof shall have been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments; also a true List of the Names of all Persons who shall have neglected or refused to pay their respective Rates or Assessments, and of the Monies due from them respectively, and shall pay all such Monies as shall remain in their respective Hands to the said Guardians or Governors, or any five or more of them, or to such Person or Persons as they shall appoint, at such Times and Places as the said Guardians or Governors, or any five or more of them, shall direct; and all the said Officers and Persons so accounting, as aforesaid, shall, upon Oath, if thereunto required, verify their said Accounts: And if any Churchwarden, Overseer, Treasurer, Collector, Officer, or Person, shall not make and render, or shall refuse to verify upon Oath, any such Accounts, or to produce the Vouchers relating to the same, or to make Payment, as aforesaid; or shall not deliver to the said Guardians or Governors, or any five or more of them, or to such Person or Persons as they shall appoint, within ten Days after being thereunto required by any five or more of the said Guardians or Governors, all Books, Papers, and Writings, in his or their Custody or Power, relating to his or their Office or Offices, or to the Execution of this Act; or shall refuse or neglect to pay such Monies, as upon the Balance of his or their Account or Accounts shall appear to be in their respective Hands to the said Guardians or Governors, or any five or more of them, or as they shall direct

Appointment of
Officers.

Security to be
taken from
them.

Officers may be
removed, &c.
How Salaries are
to be paid.

Collector's Sa-
lary not to ex-
ceed 3d. in the
Pound.

Collectors to re-
ceive the Rates,
and to pay Mo-
ney as Church-
wardens, &c.
shall appoint.
Accounts to be
fairly stated four
Times in the
Year.

Penalty of 50l.
on Officers for
not discharging
their Duty, &c.

Treasurers, Col-
lectors, &c. to
account for all
Monies received;

and to make a
List of all Per-
sons who have
refused to pay
the Rates, &c.

Officers refusing
to account, to be
fined.

or appoint; then, and in any of the Cases aforesaid, the said Guardians or Governors, or any five or more of them, may and are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing, as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons, respectively, or for the Delivery of the said Books, Papers, or Writings; or if Complaint shall be made by the said Guardians or Governors, or any five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect, as aforesaid, to any Justice of the Peace for the County of *Middlesex*, acting for the Division of *Finsbury* aforesaid, or any neighbouring Justice for the said County, such Justice may and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him; and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice, that any of the Monies which shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, unaccounted for, such Justice may, and is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons: And if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy such Money, and the Charges of Distress and Sale; or in case it shall appear to such Justice, by the Confession of the Party to offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in the Custody or Power of any such Officer or Person, and he shall refuse to deliver the same, as aforesaid; or in case such Person or Persons shall refuse to account upon Oath; then, and in any or either of the said Cases, such Justice shall commit such Offender to the common Gaol of the said County, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment, as aforesaid; or until he shall compound with the said Guardians or Governors, or any five or more of them, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Guardians or Governors, or any five or more of them, are hereby impowered to make), and until he shall deliver up such Books, Papers, and Writings, as aforesaid, or give Satisfaction in respect thereof to the said Guardians or Governors, or any five or more of them.

Or if Complaint be made to the Justices,

they are to inquire into the Default, and grant Warrant for Distress.

For want of Distress, Offenders, to be committed.

If the Treasurer, Collector, &c. become Bankrupt, how Money in their Hands may be recovered.

XXVI. And be it further enacted, That if any Churchwarden, Overseer, Treasurer, Collector, or other Person appointed by virtue of this Act, shall happen to die, or become Bankrupt, before he or they shall have fully paid and satisfied all the Money by him or them received by virtue of this Act, then, and in every such Case, the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives of such Churchwarden, Overseer, Treasurer, Collector, or Person or Persons possessing his or their Estate and Effects, shall, in the first place, out of such Estate and Effects, pay unto the said Guardians or Governors, or any five or more of them, or to such Person or Persons as they shall appoint, all such Sums of Money as were in the Hands of such Churchwarden, Overseer, Treasurer, Collector, or Person, at the Time of his or their Death; and the Assignee or Assignees of his or their Estate and Effects, in case of Bankruptcy, shall, after paying to the petitioning Creditor or Creditors his, her, or their Costs of suing out and prosecuting the Commission against such Bankrupt or Bankrupts, in the next place, pay unto the said Guardians or Governors, or any five or more of them, or to such Person or Persons as they shall appoint, all such Sum or Sums of Money as were in the Hands of such Churchwarden, Overseer, Treasurer, Collector, or other Person or Persons, at the Time of suing out of any such Commission of Bankruptcy against him or them, or so much thereof as the said Estate or Effects will extend to pay; and the Receipt of such Person or Persons shall be a good Discharge for the said Money; and every Heir, Executor, and Administrator, Assignee or Assignees, or other Person, as aforesaid, may, to any Action or Suit commenced and brought against him or them, plead or give in Evidence the Payment of the same, and shall be allowed such Payment out of the Estate and Effects of such Churchwarden, Overseer, Treasurer, Collector, or Person, prior to any Debt or Demand whatsoever: And in case of Nonpayment of the same by the Space of twenty-one Days after the same shall have been demanded in Writing, left at the usual Place of Abode of such Heir, Executor, or Administrator, Assignee or Assignees, it shall and may be lawful to and for the said Guardians or Governors, or any five or more of them, to commence and prosecute one or more Action or Actions for the same, in any of his Majesty's Courts of Record at *Westminster*, against such Heir, Executors, or Administrators, Assignee or Assignees, or other Person, as aforesaid.

In case of Nonpayment for 21 Days after demanded, Executors to be prosecuted.

Persons unable to pay the Rates may appeal to the Justices, who are impowered to relieve them.

XXVII. And be it further enacted, That if any Person or Persons shall be unable to pay the Rate or Rates to be made in pursuance of this Act, or shall be overcharged, he, she, or they, may, upon a Day to be fixed by two or more Justices of the Peace for the County of *Middlesex*, appear before them, and make his or their Objections thereto; which said Justices are hereby impowered and required to hear and relieve them in such Manner as to them shall seem just, two Days Notice in Writing of the Time and Place of hearing the same having been given to the Parties concerned, or left for them at their respective Places of Abode.

No Order of Guardians, &c. to be valid, unless made at a Meeting. No Person to act as Guardian

XXVIII. And be it further enacted, That no Order or Determination of the said Guardians or Governors shall be valid, unless the same shall be made at a Meeting in pursuance of this Act; nor shall any Guardian or Governor, appointed or elected by virtue or in pursuance of this Act, act as a Guardian or Governor in the Execution of any of the Powers given by this Act during the Time he shall hold any Office of Profit, or any Contract under the said Guardians or Governors; nor shall any Churchwarden, or Overseer of the Poor of the said Parish, after the twenty-fourth Day of *June* next, provide, supply, serve,

serve, or furnish, any Beds, Bedding, Clothes, Victuals, or other Thing, for the Use of the Poor in the Workhouse of the said Parish; but the same shall be bought and provided by the said Guardians or Governors, or any five or more of them.

XXIX. Provided always, That nothing herein contained shall extend to prevent the Churchwardens, or Overseers of the Poor, or either of them, from ordering the Person with whom such Things shall be deposited to deliver to any poor Person, not in the Workhouse, Cloathing, or Victuals, for their immediate Relief, which Things such Person is hereby required to deliver pursuant to every such Order.

XXX. And be it further enacted and declared, That all the Powers and Authorities by this Act granted to or vested in such Guardians or Governors, shall and may, from Time to Time, be exercised by the major Part of them who shall attend any public Meeting, to be holden as herein before mentioned, a sufficient Number of Guardians or Governors, according to the several Directions hereby given, being present at such public Meeting; and all the Orders and Proceedings of the major Part of such Guardians or Governors shall have the same Force and Effect as if done or made by all such Guardians or Governors for the Time being.

XXXI. And be it further enacted, That the said Guardians or Governors, or any seven or more of them, shall and may, at any public Meeting in pursuance of this Act, make such Rules, Orders, and Regulations, for the better Disposition of the Monies aforesaid, and for the better relieving, maintaining, governing, employing, educating, and regulating the Poor of the said Parish, as to them shall appear necessary or expedient, so as such Rules and Regulations shall not be repugnant to the Laws of this Realm.

XXXII. Provided always, That no such Rules, Orders, or Regulations, to be made by the said Guardians or Governors at any public Meeting as aforesaid, shall be valid or in Force, unless the same shall be confirmed at the next Meeting of the said Guardians or Governors, after the making such Rules, Orders, or Regulations; and the same, when so made and confirmed, shall be of the same Force and Effect for the Purposes hereby intended, as if the same were enacted in the Body of this Act; and no Rules, Orders, or Regulations, so made and confirmed as aforesaid, shall be afterwards repealed or altered, unless at a Meeting to be held for that Purpose, and at which Meeting a greater Number of the said Guardians or Governors shall be present and concur therein than were present at the making or confirming such Rules, Orders, or Regulations, as aforesaid; nor shall any such Repeal or Alteration be deemed effectual, unless the same shall be confirmed at the next subsequent Meeting of the said Guardians or Governors.

XXXIII. And be it further enacted, That the said Guardians or Governors, or any five or more of them, shall and may, at any public Meeting, order and direct the said Treasurer or Treasurers, from Time to Time, to pay such Sum and Sums of Money as they shall think necessary for the Purposes of this Act; and the said Treasurer or Treasurers are hereby authorized and required to pay the same from Time to Time accordingly; which Sum or Sums of Money so paid shall be allowed him or them in his or their Accounts respectively.

XXXIV. And be it further enacted, That the said Guardians or Governors, or any five or more of them, shall and are hereby impowered to keep, maintain, and employ, or cause to be kept, maintained, and employed, all such Poor of the said Parish in any Workhouse or Workhouses erected or to be erected in the said Parish, and to purchase Materials for that Purpose, and to take the Benefit of the Work, Labour, and Service, of every such Person or Persons; to be applied towards the Purposes of this Act, and the Relief and Maintenance of the Poor of the said Parish.

XXXV. And be it further enacted, That the said Guardians or Governors, or any five or more of them, shall, and they are hereby impowered to purchase, or contract and agree, from Time to Time, as they shall think fit, with any Person or Persons, for all Provisions, Necessaries, and Materials, of what Kind soever, which shall be brought into the said Workhouse, or for the Use of the Poor; and also to contract or agree for the lodging, keeping, maintaining, or employing, any or all such Poor of the said Parish (four Days previous Notice being given in one of the publick Newspapers of the Time and Place of making such Contract); and the said Guardians or Governors, or any seven or more of them, shall pay, or order the Payment of, the Monies due, or to become due, upon such Contracts and Agreements, to the Person or Persons intitled to receive the same, out of the Monies to be raised and collected by Authority of this Act.

XXXVI. And be it further enacted, That all Monies raised and collected, and all Fixtures, Furniture, and other Things bought and provided for the Use of the Poor of the said Parish, shall be, and the same are hereby vested in the said Guardians or Governors for the Time being, for the Purposes of this Act; who are hereby impowered to bring, or cause to be brought, any Action or Actions, or to prefer, or order the preferring, of any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away, any or any Part of such Things, the Property of which said Monies and Things shall be laid in every such Action or Indictment to be the Property of the said Guardians or Governors; and every Action or Indictment so laid shall be held good in Law to all Intents and Purposes.

XXXVII. And be it further enacted, That if any Person or Persons shall knowingly buy, or receive into Pawn, any of the Clothes or Wearing Apparel, or any of the Victuals or Provisions, of any of the Poor who shall be maintained, clothed, or victualled, in the Workhouse of the said Parish; or shall knowingly buy or receive into Pawn any of the Goods or Materials carried into the said Workhouse, or any other House or Place, in order to be wrought up, manufactured, or used by the Poor of the said Parish, or any of the Goods and Furniture of the said Workhouse; the Person or Persons so offending, and being thereof convicted, by his, her, or their own Confession, or by the Oath of any one or more credible Witnesses or Witnesses, before any Justice or Justices of the Peace for the said County of *Middlesex*, acting for the Division of *Finsbury* aforesaid, or any neighbouring Justice or Justices of the said County, shall,

while he holds any Office.

Poor not in the Workhouse may be supplied with Clothes, &c. for immediate Relief.

Powers vested in Guardians, &c. may be exercised by the major Part attending public Meetings, &c.

Guardians, &c. may make Regulations, &c.

Orders and Regulations not to be in Force, unless confirmed at next Meeting; and not to be altered, unless at a Meeting for that Purpose, &c.

Treasurer to pay Monies according to the Order of the Guardians, &c.

Guardians Powers with respect to the maintaining and employing of the Poor.

Contracts may be entered into for Provisions, Materials, &c.

four Days Notice being given

Property of Monies, Furniture, &c. vested in the Guardians.

Persons taking Clothes or Materials belonging to the Workhouse in pawn, to forfeit 40s.

which may be levied by distress;

and for want of Distress, Offender to be committed.

How Justices may proceed for the Conviction of Offenders.

How Persons maintained in the Workhouse refusing to work, or guilty of Misbehaviour, &c. may be punished.

Laws relating to Churchwardens, &c. to continue in force, except where altered by this Act.

Inhabitants deemed competent Witnesses.

Justices may administer Oaths.

Churchwardens, &c. may appeal to the Quarter Sessions;

giving eight Days Notice.

All Monies due for Rates may be levied by Distress.

If there be not sufficient Distress, Offenders to be committed.

How Rates, &c. may be levied from Persons

for every such Offence, forfeit and pay the Sum of forty Shillings; one Moiety wherof shall go to the Informer, and the other to the Use of the Poor of the said Parish: And if any Offender shall not, upon such Conviction, pay the same, the said Justice or Justices shall cause the Money so forfeited, by Warrant under his or their Hand and Seal, or Hands and Seals, to be levied by Distress and Sale of the Offender's Goods and Chattels, and the Overplus, (if any) after such Forfeiture and Charges of the Distress are deducted and paid, shall be returned upon Demand to the Owners of such Goods and Chattels; and in case sufficient Distress cannot be found, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by warrant under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the House of Correction of the said County, there to be detained and kept to hard Labour for any Time not exceeding Twenty-eight Days, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

XXXVIII. And, for the more easy and speedy Conviction of Offenders against this Act, be it enacted, That all and every Justice and 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 Form mentioned in the Schedule hereunto annexed, or in any other Words to the same Effect.

XXXIX. And be it further enacted, That if any Person or Persons, who shall be maintained in the Workhouse or Workhouses of the said Parish, shall refuse to work, or be guilty of profane Cursing and Swearing, or otherwise misbehave himself or herself; that then, and in such Case, it shall and may be lawful to and for the said Guardians or Governors, or any five or more of them, to cause such Person or Persons to offending to be punished in such Workhouse, either by moderate Correction, Confinement, distinguishing them in Dress, Diet, or such other Method as may best tend to remedy such Offences for the future; any Law, Statute, or Usage to the contrary notwithstanding.

XL. And be it further enacted, That the several Laws relating to the Office of Churchwardens and Overseers of the Poor, and for the Relief and providing for the Poor, shall still continue in Force within the said Parish, except in those Instances where the same are otherwise altered or directed by this Act; any thing herein contained to the contrary notwithstanding.

XLI. And be it further enacted, That any Inhabitant of the said Parish shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, or otherwise, in, about, touching, or concerning this Act, or the Matters or Things herein contained, be, and be deemed, a competent Witness, notwithstanding his or her being such Inhabitant, or paying the Rates of the said Parish; and that any Justice of the Peace of the said County acting for the Division of *Finbury* aforesaid, or any neighbouring Justice of the said County, may act in the Execution of this Act, notwithstanding he shall be an Inhabitant of the said Parish, or pay the Rates thereof; any Law, Statute, or Usage to the contrary notwithstanding.

XLII. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace, or when Oaths are to be administered by this Act, it shall and may be lawful for such Justice or Justices to administer an Oath to any Person or Persons, for his or their more certain Information in the Matters then depending; and in all Cases where the said Guardians or Governors, or any five or more of them, are by this Act impowered to bring or institute, or cause to be brought or instituted, any Action or Actions at Law, or any Indictment or Indictments, the same shall and may be brought and instituted in the Name or Names of the Treasurer or Clerk to the said Guardians or Governors, or one of the Churchwardens or Overseers of the Poor of the said Parish for the Time being.

XLIII. And be it further enacted, That it shall and may be lawful to and for the Churchwardens and Overseers of the said Parish, in all Cases in their respective Offices, or relating to the Poor, where, by any Law now in being, or hereafter to be made, Appeal is or shall be given to them from the Pass, Order, Conviction, or Determination of any Justice or Justices of the Peace for the County of *Middlesex*, acting in the Division of *Finbury* aforesaid, or of any neighbouring Justice or Justices of the said County, to appeal to the next General or Quarter Sessions of the Peace, or Adjournment thereof, to be held for the said County, at their Election, first giving eight clear Days Notice of such Appeal to the Person or Persons concerned therein, according to the Form or Effect in the said Schedule mentioned, which Justices, in their said Sessions, may make such Order therein, and give such Costs to either Party as they shall think reasonable; and the said Justices, in their said Sessions, may, for want of due Notice, or for any other just Cause, adjourn such Appeal from Time to Time, as they shall think fit.

XLIV. And be it further enacted, That all Monies to become due and payable by virtue of this Act, or any Rate or Rates made in Pursuance thereof, shall and may be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of two or more Justices of the Peace for the County of *Middlesex*, acting for the Division of *Finbury* aforesaid, or of any neighbouring Justice or the said County, according to the Form or Effect in the said Schedule mentioned (which Warrants such Justices are hereby impowered and required to grant); and in case sufficient Distress shall not be found, it shall and may be lawful to and for such Justices, and they are hereby authorized and required, by Warrant under their Hands and Seals, according to the Form or Effect in the said Schedule mentioned to cause such Offender or Offenders to be committed to the common or other Gaol, or House of Correction of the said County, there to remain without Bail or Mainprize for any Time not exceeding one Calendar Month, unless such Monies, and all reasonable Charges, shall be sooner fully paid and satisfied; and that when and as often as any Distress shall, by the Authority of this Act, be made for Nonpayment of any of the said Rates or Monies hereby directed to be made, or any Part thereof, it shall and may be lawful to and for the Person or Persons making such Distress to raise and levy the reasonable Charges of making and keeping such Distress.

XLV. And whereas it may happen, that many Persons liable to, and who may be rated and assessed by virtue of this Act, may, before the Payment of the Sums which may be rated on them respectively, quit

quit and leave their Grounds, Dwelling-houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the Limits aforesaid, and thereby endeavour to avoid the Payment of the said Rates and Assessments; be it therefore enacted, That when any Person or Persons, who hath or have been so rated and assessed, shall quit his or their Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, before he, she, or they shall have paid the said Rate or Assessment, and shall afterwards refuse to pay the same when due, and demanded by the Collector or Collectors authorized and appointed to receive the same; that then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, or one of them, by Warrant under the Hands and Seals of two or more Justices of the Peace for the County of *Middlesex*, acting for the Division of *Finsbury* aforesaid, or of any neighbouring Justices of the said County (which Warrant the said Justices are hereby authorized and required to grant in any Place within the County of *Middlesex*, and such Warrant being first backed or countersigned by some Magistrate of the County, City, or Liberty where the Distress is to be made; which Warrant such Magistrate is hereby required to back or counter-sign), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting, and to sell the same, rendering the Overplus (if any be), after having deducted the reasonable Charges and Expences of such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

quitting Houses, &c. and removing out of the Limits.

XLVI. Provided always, and be it further enacted, That the said Guardians or Governors, or any five or more of them, may, if they think proper, bring, or cause to be brought, any Action or Actions of Debt, or special Action on the Case, in any of his Majesty's Courts of Record at *Westminster*, for all or any of the Penalties or Forfeitures against this Act, or for all or any of the Fines set or imposed by virtue of, or in pursuance of, this Act, or any Part thereof; in which Action or Actions it shall be sufficient for the Plaintiff to declare, that the Defendant is indebted to the Plaintiff in the Sum of ten Shillings (or such other Sum as the Plaintiff shall suppose to be then due or forfeited,) for so much Money before then owing, (forfeited, or Fine set, as the Case may be) from or by the Defendant to the Plaintiff, by an Act passed in the fifteenth Year of the Reign of King *George* the Third, *For building a Workhouse, and for the better Relief and Employment of the Poor within the Parish of Saint James, Clerkenwell, in the County of Middlesex*: And if the Plaintiff recovers in any such Action, he shall have full Costs; to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered; in which Action and Actions no Essoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed.

Guardians may sue by Way of Action for all Penalties, &c. against this Act.

XLVII. And for providing a proper Workhouse for the Poor of the said Parish, be it further enacted, That the said Guardians or Governors, or any fifteen or more of them, (in consequence of an Order for that Purpose to be made at a publick Meeting, and also confirmed at the next Meeting, as herein before mentioned) shall have full Power and Authority, and they are hereby authorized and required, at any Time after the passing of this Act, to treat, contract, and agree with the Owners and Occupiers of, and all other Persons interested in, any Lands, Grounds, Tenements, or Hereditaments, within the said Parish, for the purchasing such Lands, Grounds, Tenements, or Hereditaments, or any or either of them, or so much thereof as the said Guardians or Governors, or any fifteen or more of them, shall think necessary for the Purposes of enlarging the present Workhouse, or of building a new Workhouse; and to purchase the same, and all Buildings thereon, in the Name of the then Churchwardens of the said Parish (who are hereby enabled to accept and take a Conveyance thereof to them and their Successors for ever); and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchase or Purchases, to take Possession thereof, and to cause all Buildings thereon, or so much thereof as they shall think proper, to be pulled down and carried away; and to pay the Purchase-monies, and all Expences attending such Purchases, out of the Monies arising by virtue of this Act.

Guardians, &c. may purchase Lands, &c. for a Workhouse.

XLVIII. And be it further enacted, That the said Guardians or Governors, or any fifteen or more of them, shall and may, and they are hereby impowered and required to enlarge the present Workhouse belonging to the said Parish, or to build a new Workhouse on the Ground which shall be so purchased as aforesaid, or any Part thereof, for the Residence and Employment of the Poor of the said Parish, and from Time to Time furnish the same with Beds, Bedding, and other necessary Furniture and Materials, for the comfortable Support, Maintenance, and Employment of the Poor of the said Parish.

Present Workhouse to be enlarged, or a new one built.

XLIX. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Husbands, Guardians, and Committees for Lunatics and Idiots, Executors, Administrators, and Guardians, or other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics or Idiots, Femmes-covert, or other Persons whatsoever, and to and for all Femmes-covert who are or shall be seized in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seized, possessed of, or interested in, any of the said Lands, Tenements, or Hereditaments, which shall be thought necessary for the Purposes of this Act, to treat, sell, and contract, with the said Guardians or Governors, or any nine or more of them, and to convey to the said Churchwardens, their Successors or Assigns, or to any other Person or Persons, and their Heirs in Trust for them, all or any of the said Lands, Tenements, or Hereditaments, Estates, and Interests, or any Part thereof; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons as aforesaid, shall be good, valid, and effectual in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Title, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes-covert, or other Persons whomsoever, and all claiming or to claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in

Bodies Politick, &c. impowered to sell and convey Lands, &c.

and shall be indemnified, notwithstanding Omission of Form, &c.

On Payment of Money for Lands, Owners to make Conveyances.

Where the Parties cannot make good Conveyances, &c. Money to be paid into the Bank.

On Application, Court of Chancery may order Distribution of Money, &c.

After Payment, the Lands to be vested in Churchwardens.

Purchase-moneys of Premises held in Trust to be invested in other Purchases to the same Uses.

Conveyances by Feme covert, and inrolled within 12 Months, to be effectual.

Persons having any Right in Lands, &c. to enter their Claims within 3 Months after Inrolment;

any wise notwithstanding: And all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whatsoever, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act, notwithstanding any Omission or Mistake of Matter or Form whatsoever.

L. And be it further enacted and declared, That upon Payment of the Sum or Sums of Money so agreed to be paid for the Purchase of any such Lands, Tenements, or Hereditaments, or for the Purchase of any Estate, or Interest therein, to the Person or Persons intitled to receive the same, such Person or Persons shall make and execute, or procure to be made and executed, good, valid and legal Conveyances, Assignments, and Assurances in the Law, to the said Churchwardens, of the said Lands, Tenements, or Hereditaments, or of such Estate or Interest for which such Sum or Sums of Money shall be so paid, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things, necessary to make a good, clear, and perfect Title to the said Guardians or Governors: And in case the Person or Persons to whom such Sum or Sums of Money shall be agreed to be paid as aforesaid, shall not be able to evince his or their Title to the Premises, to the Satisfaction of the said Guardians or Governors, or any nine or more of them, and to make, or procure to be made, good, valid, and legal Conveyances, Assignments, and Assurances thereof; or in case such Person or Persons, to whom such Sum or Sums of Money shall be payable, cannot be found; then, and in every such Case, it shall and may be lawful to and for the said Guardians or Governors, or any nine or more of them, to order the said Sum or Sums of Money to 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, to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery: And 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, the said Court of Chancery shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order Distribution thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereto, 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, is and are hereby required to give a Receipt or Receipts for such Sum or Sums (mentioning and specifying for what Premises, and for whose Use, the same is or are received) to such Person or Persons who shall pay any such Sum or Sums into the Bank of *England*, as aforesaid: And immediately after such Payment to such Person or Persons, or into the Bank of *England* as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons to whom or to whose Credit such Money shall be paid in, to, and out of the said Lands, Tenements, Hereditaments, and Premises, shall vest in the said Churchwardens, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whom or to whose Credit such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, in Reversion or Remainder, and the Issue or Issues of such Person or Persons, and every Person claiming under them, as effectually as a Fine and Recovery would have done if levied or suffered by the proper Parties in due Course of Law.

LI. And be it further enacted, That the principal Monies arising by the Sale of any Lands, Tenements, Buildings, or Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, and other Trustees, or from any Feme-covert, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed then afterwards to be reinvested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased of them respectively by the said Guardians or Governors as aforesaid, were respectively settled, limited, or assured, at the Time of such Purchase, or so many thereof as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect.

LII. And be it further enacted, That the Conveyance of any such Estate or Interest of any Feme-covert to the said Churchwardens, or any Person or Persons in Trust for them, by Bargain and Sale, acknowledged by such Feme-covert, and inrolled in one of his Majesty's Courts of Law or Equity at *Westminster* within twelve Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme-covert in the Premises, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or suffered thereof in due Form of Law: And further, that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, or Hereditaments, as shall be purchased by the said Guardians or Governors, by virtue of and for the Purposes of this Act, shall have the same Force, Effect, and Operation in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever, would have, if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seized of any Estate in the Premises in Trust for or to the Use of such Bargainer or Bargainers in any legal Manner or Form whatsoever.

LIII. And be it further enacted, That all and every Person and Persons whomsoever, having any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of any Lands, Tenements, or Hereditaments, which, by virtue and for the Purposes of this Act, shall be purchased by and conveyed, or mentioned or intended to be conveyed,

veyed, to the Person or Persons aforesaid, or any Person or Persons in Trust for them, shall, within the Space of three Months, to be computed from the Date of the Inrolment of such Bargain and Sale, enter a Memorial of such their Right, Title, Interest, Use, Property, Claim, and Demand, in a Book to be for that Purpose prepared and kept by the Clerk appointed by the said Guardians or Governors; which Book such Clerk is hereby required to prepare and keep accordingly, and for which Entry he shall be intitled to such Fee, and no other, as the Register of the County of *Middlesex* is by Law intitled to for the Registry of a Memorial containing the same Number of Words: And all and every Person or Persons whomsoever not entering such Right, Claim, and Demand, within such Time, and in such Manner, as aforesaid, or having to entered the same, and not prosecuting such their Right, Claim, or Demand, with Effect, within the Space of two Years, to be computed from the Time of such Entry, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of the said Premises, and every Part thereof; and the said Churchwardens, and those claiming by, from, or under them, shall be quieted in the Possession of such Lands, Tenements, Hereditaments, and Premises, any Law, Statute, Usage, Matter or Thing whatsoever, to the contrary notwithstanding.

and if not prosecuted within two Years, to be for ever debarred:

LIV. Provided nevertheless, and be it further enacted, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or Demand whatsoever, in, to, or out of the said Lands, Tenements, and Hereditaments, by virtue of this Act, shall be at Liberty to bring any Action or Actions of Debt, for Money had and received to his or their Use, against any Person or Persons, or the legal Representative of any Person or Persons who received the Purchase-money arising from such Sale of the said Lands, Tenements, Hereditaments, and Premises aforesaid; and that, in every such Case, the respective Plaintiffs, on Proof of such Title as would have enabled them to recover such Lands, Tenements, or Hereditaments, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase-money, or so much thereof as shall be equivalent to their Interest in the said Premises, together with such Interest as shall be equivalent to the meane Profits of the Premises which they would have been intitled to recover in case this Act had not been made.

But may recover the Purchase-money from the Persons receiving the same.

LV. And be it further enacted, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons, in Possession of any such Lands, Tenements, Hereditaments, and Premises, of any Part thereof, which shall be purchased by the said Guardians or Governors as aforesaid, and who shall have no greater Interest in the Premises than as Tenant at Will, or as Lessee by Parole for a Year, or from Year to Year, shall, at the Expiration of six Calendar Months after Notice in Writing left upon the Premises, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Governors or Guardians, and Churchwardens, or any Person or Persons authorized by them, or any nine or more of them, to take Possession thereof; and in case any such Person or Persons shall refuse to give such Possession, then it shall and may be lawful to and for the said Guardians or Governors, or any nine or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *Middlesex*, to deliver Possession of the Premises to such Person or Persons as shall, in such Precept or Precepts, be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods and Chattels.

Tenants to deliver Possession after six Months Notice.

LVI. And be it further enacted, That all and every Person and Persons, who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, now being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money, and Interest due thereon, or a proportionable Part thereof, in Proportion to what Sum shall be left remaining on their respective Securities, together with three Months Interest of the said Money, so paid by the said Guardians or Governors, or any nine or more of them, or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Guardians or Governors, or any nine or more of them, or to the said Churchwardens, or their Successors, or to such Person or Persons as they shall appoint in Trust for them; or, in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Guardians or Governors, or any nine or more of them, that they will pay off and discharge all or any particular Part of the Principal and Interest which shall be due on the said Mortgage or Mortgages, in Proportion to the Lands or Hereditaments so purchased, at the End or Expiration of six Calendar Months, to be computed from such Notice given; that then, at the End of the said six Calendar Months, on Payment of the Principal and Interest so due, or the Purchase-money at which the said Lands so to be purchased shall be valued, to such Mortgagee or Mortgagees, such Mortgagee or Mortgagees shall assign his, her, or their Interest in the Premises so purchased to the said Guardians or Governors, or such Person or Persons as they, or any nine or more of them, shall appoint in Trust for them: And in case such Mortgagee or Mortgagees shall refuse to assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall cease and determine.

Mortgages, on Tender of Principal and Interest, to convey the Premises.

On Refusal, Interest to cease.

LVII. And be it further enacted, That upon Payment of the Principal Money and Interest due on any such Mortgage, or such Proportion as aforesaid, into the Bank, at the End of Six Calendar Months from such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein-before directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, of the said Mortgagee or Mortgagees, and of every Person or Persons in Trust for him or them, of and in such purchased Lands, shall vest in the said Churchwardens, and their Successors, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, of which such Purchase shall be made, to all Intents and Purposes whatsoever.

On Payment of Money into the Bank, Premises vested in the Guardians, &c.

Sums due to be charged on Money raised by this Act. Monies to be paid or tendered before Use be made of the Premises.

10 l. Penalty on Sheriff, &c. for making Default.

Guardians may raise Money by Annuities, Bonds, &c.

7000 l. may be advanced by any Person for the Purchase of one or more Annuities.

Annuities, &c. to be charged upon the Rates.

Annuities deemed indefeasible Estates,

and not to be subject to the Land Tax.

Annuities may be assigned.

Annuities, &c. to be entered in Books.

LVIII. And be it further enacted, That all Sums of Money to be paid pursuant to any such Agreement, or on any such Mortgage, shall be, and are hereby charged and chargeable upon all Monies which shall be raised or received for the Purposes of this Act, and shall be tendered to the Party or Parties intitled to the same, or Notice thereof shall be left at his last or usual Place of Abode; and in case of Refusal or Neglect to accept the same, such Money shall be paid into the Bank of *England*, in the Name or Names of any Person or Persons appointed by the said Guardians or Governors, or any nine or more of them, for that Purpose, in Trust for such Person or Persons as shall be intitled to receive the same, before the said Guardians or Governors shall proceed to pull down any Erections or Buildings, or to use the Ground for any of the Purposes of this Act.

LIX. And be it further enacted, That the said Guardians or Governors, or any nine or more of them, shall have Power, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of ten Pounds, on the said Sheriff or Bailiff, or their respective Deputy or Deputies, or Agents respectively, making Default in the Premises, or refusing to deliver Possession as aforesaid; and, from Time to Time, to levy such Fine or Fines, by order of the said Guardians or Governors, or any nine or more of them, by Distress and Sale of the Offender's Goods and Chattels, together with the reasonable Charges of every such Distress and Sale, rendering the Overplus (if any) to the Owner; and all such Fines shall be applied for the Purposes of this Act.

LX. And be it further enacted, That the said Guardians or Governors, or any nine or more of them, shall have Power, from Time to Time, to raise Money by Annuities, or upon Bond, or other Security, for the Payment of the Debt herein-before mentioned to have been contracted for the Maintenance of the Poor of the said Parish, and for enlarging the present or building a new Workhouse for the Residence and Employment of the Poor, and for the Purchase of Houses and Lands for that Purpose, and for other the Uses and Purposes in this Act mentioned and contained: And it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Guardians or Governors, or any nine or more of them, for the Uses and Purposes in this Act mentioned, any Sum or Sums of Money not exceeding in the Whole the Sum of seven thousand Pounds, for the absolute Purchase of one or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Contributor or Contributors respectively, or the natural Life of such other Person or Persons as shall be nominated by, or on Behalf of, such Contributor or Contributors respectively, at the Time of Payment of his, her, or their respective Contribution-money, so as no Person pay for or upon one Life more than the Sum of three hundred Pounds.

LXI. And be it further enacted, That all and every the Annuity or Annuities so to be purchased under and by virtue of this Act, and also any Sum or Sums of Money to be raised upon Bond, or other Security, as aforesaid, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising by the Rates and Assessments in this Act mentioned; and all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Consideration or Purchase-money, in Manner aforesaid, for any such Annuity or Annuities as aforesaid, or his, her, or their respective Executors, Administrators, or Assigns, shall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity or Annuities so to be purchased out of the Rates or Assessments by this Act appointed for the Payment thereof, during the Term of the natural Life of the Person to be nominated by each such Purchaser or Contributor, as before mentioned; and that all and every such Purchaser and Purchasers, their Executors, Administrators, and Assigns, shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuity or Annuities so by him, her, or them, respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to the Tax charged, or to be charged, upon Land by Authority of Parliament: And that every Contributor upon this Act, for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration of Purchase-money, shall have a Receipt or Receipts for the same, and also an Order on Parchment (which may be made without any Stamp) for Payment of the said Annuity or Annuities, for and during the natural Life of the Person who shall be so nominated as aforesaid, by Quarterly Payments, which Order shall be signed by the said Guardians or Governors, or any five or more of them, and after signing thereof, the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

LXII. And be it further enacted, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing or Writings, under his, her, or their Hand or Hands, to assign such Annuity or Annuities, or any Part thereof, or Interest thereon, to any Person or Persons whatsoever, and so *toties quoties*; and a Memorandum or Entry of all such Orders and Assignments shall be made in a Book or Books, to be kept as herein-after mentioned, at the Charge of the said Guardians or Governors, for which Entry or Memorandum two Shillings and Sixpence shall be paid, and no more; and no such Assignment shall be deemed valid, unless such Memorandum or Entry shall be first made, as aforesaid.

LXIII. And be it further enacted, That a Book or Books shall be prepared and kept by the said Guardians or Governors, or by such Person or Persons as they, or any five or more of them, shall appoint, wherein shall be fairly entered, from Time to Time, an Account of what Monies shall have been borrowed, assessed, raised, levied, and paid, by virtue of this Act, and how the same shall have been applied, and the Name or Names of the Annuitant or Annuitants, and what Sum or Sums he, she, or they paid for such Annuity or Annuities respectively, and what he, she, or they, is or are to receive for the same; which Book or Books the said Annuitants, or any of them, and all Persons lending Money on the Credit

of

of this Act, or contributing to the said Rates or Assessments, may at all convenient Times peruse and inspect without Fee or Reward.

LXIV. And be it further enacted, That it shall and may be lawful to and for the said Guardians or Governors, or any nine or more of them, to let, sell, and dispose of so much of the said Lands and Hereditaments, so to be purchased as aforesaid, as shall not be necessary or used for enlarging the present Workhouse, or building a new one, for the best Price that can be got for the same; and in case a new Workhouse shall be erected, the said Guardians or Governors, or any nine or more of them, as aforesaid, may also let or sell the old Workhouse, and the Land thereunto belonging; and the Money arising by any or either of those Ways or Means shall be applied for the Purposes of this Act; and the then Churchwardens of the said Parish are hereby authorized and required to lease and convey such Lands and Hereditaments accordingly.

Guardians may let or sell Overplus Lands.

LXV. And be it further enacted, That the said Guardians or Governors shall, at all their Meetings under this Act, pay and defray their own Expences.

Governors, &c. to defray their own Expences.

LXVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case.

Distress not to be deemed unlawful for want of Form.

LXVII. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings or Orders and Judgments shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover, if Tender of Amends be made.

LXVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Matter or Thing done in pursuance of this Act, or by any Justice or Justices of the Peace acting therein, such Person and Persons shall and may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said County, or any Adjournment thereof, within two Months next after the Cause of such Complaint shall arise, such Appellant first giving, or causing to be given, ten Days Notice in Writing to the Clerk or Treasurer to the said Guardians or Governors for the Time being, or to the Justice or other Person by whose Act or Acts such Person or Persons shall think himself, herself, or themselves, aggrieved, of his, her, or their Intention to bring such Appeal, and within two Days next after such Notice entering into Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions, or Adjournment thereof; which said Justices at or in such Sessions, upon due Proof of Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the Determination of such Justices shall be final, binding, and conclusive: And on all Appeals from Rates, the Justices shall amend the same in such Manner only as shall be necessary for giving Relief, without altering such Rates with respect to other Persons mentioned in the same; but if, upon Appeal from the whole Rate, it shall be found necessary to set aside the same, then they shall order a new Rate to be made.

Persons thinking themselves aggrieved may appeal to the Quarter Sessions.

Justices Powers concerning Appeals from Rates.

LXIX. And be it further enacted, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of, or only signed by, any Guardian or Guardians, Governor or Governors, or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of, or only signed by, any Person or Persons whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

Writings not to be charged with Stamp-duty.

LXX. And be it further enacted, That all Orders and Proceedings of the said Guardians or Governors, at their Meetings, shall be entered in a Book or Books, to be kept for that Purpose; and such Orders and Proceedings, so entered, shall be signed by the Clerk or Clerks to the said Trustees, and such Orders shall be deemed and taken to be original Orders; which said Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Proceedings to be entered in Books.

LXXI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted, in, or relating to, the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for want of Form.

LXXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons acting under the Direction and Authority of the said Guardians and Governors, for any Thing done in pursuance of this Act, until twenty Days Notice shall be thereof given in Writing to the Clerk to the said Guardians or Governors; or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved; or after three Calendar Months next after the Fact committed for which

Limitation of Actions.

such

General Issue.

such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried, in the County of *Middlesex*, and not in any other County or Place; and the Defendant or Defendants in such Actions 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 which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if such Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before twenty Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if 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, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein; then, and in any of the Cases aforesaid, such Defendant or Defendants shall have double Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

Double Costs.

Expences of this Act how to be paid.

LXXIII. And be it further enacted, That the Charges and Expences of passing this Act, and other Charges and Expences incident thereto, shall be borne, paid, and defrayed, out of the Monies remaining in or coming to the Hands of the Churchwardens or Overseers of the Poor of the said Parish, or out of the first Monies that shall be raised by the Rates to be made by virtue of this Act, or out of any Money to be borrowed on the Credit thereof.

Publick Act.

LXXIV. And be it further enacted, That this Act shall be taken and allowed in all Courts of Justice as a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without the same being specially pleaded.

The SCHEDULE referred to, containing the Form of Proceedings.

Warrant of Distress for Nonpayment of the Rates, &c.

Middlesex, To wit. To the Churchwardens and Overseers of the Poor of the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*, and to all Constables, Headboroughs, and other Peace Officers, for the same County.

WHEREAS, in pursuance and by Authority of an Act of Parliament, made in the fifteenth Year of the Reign of King *George* the Third, "For building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*," the under-mentioned Persons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement, within the said Parish of *Saint James, Clerkenwell*, were and are truly rated and assessed, or liable to pay the Rate and Rates duly made for the Purposes of the said Act: And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunto respectively set down, for Money due from them, for or towards the Purposes in the said Act mentioned, and the said several Sum and Sums of Money are still remaining due, in arrear, and unpaid, as appeareth upon Oath to us, two of his Majesty's Justices of the Peace for the County of *Middlesex*; and the said several Sums having been demanded, and neglected to be paid, and the said several Persons having been summoned to appear before us, to answer the Premises, as also appeareth to us, the said Justices, upon Oath, and they nor either of them having shewn any sufficient Cause: These are therefore, in his Majesty's Name, to will and require you, or either of you, forthwith to levy the said several Sums of Money due from the said Persons, and hereunder joined to or set against their Names respectively, by Distress and Sale of their respective Goods and Chattels (such Goods and Chattels being kept by the Space of five Days before the same are sold), rendering to them respectively the Overplus (if any be), the reasonable Charges of such Distress, Sale, and Keeping, being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same to us, to the End such further Proceedings may be had therein as to Law doth appertain. And we do hereby strictly charge and command all and singular the Constables, Headboroughs, and other his Majesty's Peace Officers for the said County of *Middlesex*, to be aiding and assisting in all Things relating to the Premises.

Given under our Hands and Seals this Day of in the Year of our Lord

Persons Names.								Sums due.
								£. s. d.
A. B.	—	—	—	—	—	—	—	
C. D.	—	—	—	—	—	—	—	
E. F. the Landlord for divided	—	—	—	—	—	—	—	
G. H. &c.	—	—	—	—	—	—	—	

Warrant

Warrant for Want of Distress of Goods.

Middlesex, To wit. To all Constables, Headboroughs, and other Peace Officers for the County of *Middlesex*, and also to the Keeper of *Newgate*, or of (as the Case may be.)

WHEREAS, in pursuance and by Authority of an Act of Parliament, made in the fifteenth Year of the Reign of King *George the Third*, "For building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*,"

now or late an Inhabitant, Holder, Landlord, Tenant, Occupier, or Enjoyer of Land, House, Shop, Warehouse, Cellar, Vault, or other Building, Tenement, or Hereditament, or Part of some Building or Tenement, within the said Parish, was and is truly rated and assessed, or liable to pay the Sum of for and towards the Rate lately made

in pursuance of the said Act: And whereas the said refused or neglected to

pay the said Sum of Money to the Overseer of the Poor, or to the Collector of the Rates of the said Parish, although the same was demanded, as appeared to us, two of his Majesty's Justices of the Peace for the said County, upon Oath, whereupon we the said Justices granted our Warrant, bearing Date the

Day of directed to to levy the said Sum of on the said by Distress and Sale

of his Goods and Chattels, rendering to him the Overplus (if any): And whereas one of the Constables or Headboroughs of the County of *Middlesex*, to whom the said

Warrant was so delivered to be executed, hath made a Return of the said Warrant, and certified to us,

That, upon Inquiry and Search, it appeareth unto him, that the said

had not any Goods or Chattels whereof a sufficient Distress could be had or taken to levy the said Sum of and the said Sum is still due and unpaid, as appeareth also to us upon Oath:

These are therefore, in his Majesty's Name, to will and require you, and every of you, to apprehend the said and him safely to convey and deliver to the Keeper of *Newgate*,

or the Keeper of (as the Justices shall think proper) or his Deputy, together

with this Warrant: And we do also hereby command you the said Keeper, or Deputy Keeper, to receive the said into your said Gaol, and him safely keep, without Bail or

Mainprize, for Calendar Months (or other Time), unless such Money, and all reasonable Charges, shall be sooner paid.

Given under our Hands and Seals, this Day of

Notice of Appeal.

IN pursuance of an Act of Parliament, made and passed in the fifteenth Year of the Reign of King *George the Third*, "For building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*," we do hereby give you Notice, That we do intend to appeal to the next Sessions of the Peace, to be holden (if by Adjournment, then those Words to be added) for the County of *Middlesex*, against the Pains, Order, Conviction, or Determination (as the Case may be) of two of his Majesty's Justices of the Peace for the County of *Middlesex*, whereby they have (stating the Matter intended to be appealed against.)

Dated the Day of

Form of Conviction.

BE it remembered, That on the Day of in the Year of the Reign of King *George the Third*, is convicted before of his Majesty's Justices of the Peace for the County of

Middlesex, by virtue of an Act, made in the fifteenth Year of the Reign of King *George the Third*, "For building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*," of (specifying the Offence.)

Given under our Hands and Seals, (or my Hand and Seal,) the Day and Year aforesaid.

C A P. XXIV.

An Act for incorporating certain Persons, for the Relief of poor Widows and Children of Clergymen within the County of *Huntingdon*.

WHEREAS within the County of *Huntingdon* are many small Ecclesiastical Benefices, by reason whereof it frequently happens that Clergymen of the said County die leaving their Widows and Children in distressed Circumstances: And whereas divers charitable and well-disposed Persons have voluntarily subscribed towards the Relief and Support of such poor Widows and Children: And whereas such Subscriptions might be enlarged, and many other Persons induced to become Subscribers to the Charity, by means whereof a more ample and permanent Provision might be made for such poor Widows and Children, if proper Persons were incorporated, with Powers to receive, manage, and dispose of, such charitable Donations, and to take and hold Lands, Tenements, and Hereditaments, for the Benefit of the said Charity; 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,

Governors appointed;

who are to form one Body Politick and Corporate;

and are empowered to receive Money for the Purposes of this Act;

and to hold Lands, &c. not exceeding 500 l. per Annum.

President, Vice-Presidents, Treasurers, and Committees, appointed;

who are to continue in their respective Offices one Year only.

First General Court to be held on 13th June, 1775.

A General Court to be held annually,

when Vice-Presidents, &c. are to be chosen.

Governors may dispose of the Custody of the Common Seal, and make Bye-laws, &c.

same, That the Most Noble *George Duke of Manchester*, *John Earl of Sandwich*, *Robert Earl of Harborough*, the Right Honourable *John Montagu*, commonly called *Lord Viscount Hinchingbroke*, the Right Honourable *Peter Earl of Ludlow* in the Kingdom of Ireland, *John Lord Bishop of Lincoln*, and the Bishop of *Lincoln* for the Time being, the Right Honourable *Josua John Proby* Lord *Carysfort* in the Kingdom of Ireland, Sir *Robert Bernard* Baronet, Sir *Charles Cope* Baronet, *Nicolas Bonfoy*, *Charles Greene*, and *Richard Reynolds*, Esquires, *George Raitt* Doctor of Physick, the Reverend *William Watson* his Majesty's Professor of Divinity in the University of *Cambridge*, and the Professor of Divinity in the said University for the Time being, the Reverend *Michael Tyson* Clerk, Archdeacon of *Huntingdon*, and the Archdeacon of *Huntingdon* for the Time being, and all Persons who have already subscribed and paid at one Payment; or who shall at any Time hereafter subscribe and pay at one Payment, the Sum of twenty Guineas, and also all Persons during the Time they shall annually subscribe and pay the Sum of one Guinea or more to the said Charity, shall be and are hereby appointed Governors of the said Charity; and the said Governors shall be one Body Politick and Corporate in Deed and in Name, and shall be called *The Governors of the Charity for the Relief of poor Widows and Children of Clergymen within the County of Huntingdon*; and by the same Name shall have perpetual Succession, and a Common Seal, with Power to change, break, alter, and make new, their said Common Seal from Time to Time at their Pleasure, or as they shall see Cause; and the said Governors, and their Successors, by the same Name shall and may sue and implead, and be sued and impleaded, answer and defend, and be answered and defended, in all or any Court or Courts of Record, or any other Places of Judicature within this Realm, and shall and may do and execute all and singular other Matters and Things by the Name aforesaid, in as full and ample Manner and Form, to all Intents and Purposes whatsoever, as any other Person or Persons, Body or Bodies Politick or Corporate, within this Realm, can or may in any wise lawfully do; and that the said Governors, and their Successors, by the Name aforesaid, shall be able and capable in Law to take, hold, receive, enjoy, possess, and retain, to them and their Successors, all such Sum and Sums of Money as hath or have been paid, subscribed, given, devised, or bequeathed, or which remain undisposed of, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed, by any Person or Persons whomsoever, to and for the charitable Purposes in this Act mentioned; and that they and their Successors, by the Name aforesaid, shall and may at any Time hereafter, without Licence in Mortmain, purchase, receive, take, hold, and enjoy, for the Purposes aforesaid, any Manors, Lands, Rents, Tenements, Annuities, and Hereditaments, of what Nature or Kind soever, or any Estate or Interest arising or derived out of any Lands, Tenements, or Hereditaments, to them and their Successors, in Fee and Perpetuity, or for Life or Lives, or for Term of Years, or otherwise, not exceeding the yearly Value of five hundred Pounds beyond Repriizes, and also all Manner of Goods, Chattels, and Things whatsoever; and also to let, sell, alien, assign, and dispose of the same Manors, Messuages, Lands, Tenements, and Hereditaments, Goods, Chattels, and Things, at their Will and Pleasure.

II. And be it further enacted by the Authority aforesaid, That the Bishop of *Lincoln* for the Time being shall be and is hereby appointed President of the said Corporation; and that the said *Michael Tyson*, Archdeacon of *Huntingdon*, and *George Raitt*, shall be and they are hereby appointed Vice-Presidents of the said Corporation; and that the said *Richard Reynolds* and *Peter Peckard* shall be and are hereby appointed Treasurers of the said Corporation; and that the said Bishop of *Lincoln*, *William Watson*, *Michael Tyson*, *George Raitt*, *Richard Reynolds*, *Peter Peckard*, *Benjamin Addenbroke* Clerk, *Robert Hodgson* Clerk, *John Trollope* Clerk, and *Reade Peacock* Gentleman, shall be and they are hereby appointed a Committee for transacting and managing the Affairs of the said Corporation; and the said Vice-Presidents, Treasurers, and Committee, shall continue in their respective Offices for the Space of twelve Calendar Months only, unless they shall be again elected thereunto, as herein is mentioned; and the said President, or, in his Absence, one or both of the Vice-Presidents, or one or both of the Treasurers, with any four or more of the said Governors, or, in the Absence of the President and of all the Vice-Presidents and Treasurers, any five or more of the said Governors, shall compose a General Court; and that the Officers herein before named, and Governors, shall assemble and meet together in the Church of *All Saints* in the Town of *Huntingdon*, on *Tuesday* the thirteenth Day of *June*, one thousand seven hundred and seventy-five, for the Purpose of holding the first General Court, and shall then, and from Time to Time, be adjourned to such Times and Places as the said General Court shall think necessary for the due Execution of this Act; and a General Court of the said Governors shall be holden annually upon the second *Tuesday* after *Easter Sunday*, or oftener, if Occasion shall require, upon Notice thereof given by the Order of any three or more of the said Governors, by publishing the Time and Place of holding such General Court in the *Cambridge Chronicle*, or some other publick News-paper, fourteen Days at least before the holding of every such General Court; and at every such annual General Court the Vice-Presidents, Treasurers, and Committee (which Committee shall consist of such Number of Governors as such annual General Court shall think necessary), and other Officers and Servants, shall be elected for the Year ensuing; and the said Governors assembled at any General Court shall have full Power and Authority, in the Name of the said Corporation, to do, manage, transact, and determine, all such Matters and Things as shall to them, or any five or more of them, at any such Courts, appear to be necessary or proper; and, for the better carrying this Act into Execution, any such General Court may delegate such Powers and Authorities to the said Committee as they shall think proper.

III. And be it further enacted, That it shall and may be lawful to and for the said Governors, at any of their General Courts (but at no other Time), to dispose of the Custody of the said Common Seal, and order and direct the Use and Application thereof; and to make, ordain, and constitute such and so many Bye-laws, Constitutions, and Ordinances, as to them shall seem necessary and convenient, for the better governing, regulating, ordering, and managing the Business of the said Corporation, and of the Officers, Servants, and Persons employed in and about the Affairs of the said Corporation, and from Time to Time

to alter or amend all or any such Bye-laws, Constitutions, and Ordinances, and to order and direct such Bye laws, Constitutions, and Ordinances to be observed, and put in Execution accordingly, at their Will and Pleasure, provided they are not contrary or repugnant to Law; but no Bye-law, Constitution, or Ordinance, which shall be made or altered, or any Rule or Order which shall be made by the said Governors by virtue of this Act, shall be binding, or have any Force or Effect, until the same shall have been agreed to and confirmed by the next succeeding annual General Court.

IV. And be it further enacted, That in case of the Death or Resignation of a Vice President or Treasurer of the said Corporation, it shall and may be lawful to and for the said Governors, or any five or more of them, at any General Court, from Time to Time, to nominate and appoint some other Person in the Room of such Vice President or Treasurer.

V. And be it further enacted, That all Questions at any General Court, or at any Meeting of any Committee relating to the Execution of this Act, shall be decided by Vote, in all which Questions the President or Chairman shall be allowed to vote; and in case of an Equality of Votes, the President or Chairman shall have the casting Vote; and upon Demand of any three Members or Governors of the said Corporation present at such General Court or Meeting of any Committee, the Question or Questions then proposed shall be determined by Ballot, to be immediately proceeded upon and completed.

VI. And be it further enacted, That the said Governors, or any five or more of them, at a General Court, shall have Power, from Time to Time, and at all Times, to appoint such other Officers and Persons as they shall think necessary to employ for the Purposes and in the Execution of this Act, and from Time to Time to suspend or remove all such Officers and other Persons, or any of them, as they shall think fit, and appoint others in case of Death or such Suspension or Removal; and may, out of the Monies to be received for the Purposes of this Act, make such Allowances to such Officers and other Persons for their Services as to the said Governors, or any five or more of them, at a General Court, shall seem reasonable; and that it shall and may be lawful to and for the said Committee so appointed, or to be elected as aforesaid, or any three or more of them, at any Meeting, to suspend or remove any such Officers and other Persons, and to appoint others in case of Death, or such Suspension or Removal, until a General Court shall be held; and the said Governors, or any five or more of them, at any General Court, may confirm such Appointments, or may remove such Officers or other Persons, and appoint others in their Room; and all Officers and other Persons, so appointed, shall, from Time to Time (when thereunto required by the said Committee, or any three or more of them), make and render to the said Committee, or any three or more of them, a true, exact, and perfect Account in Writing, under their respective Hands upon Oath, to be taken before two or more of the said Committee (which Oath any two of the said Committee are hereby empowered to administer), of all Monies which he or they, and every of them respectively, shall have received, paid, and disbursed, by reason of their respective Offices; and in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said Committee, or any three or more of them, or to such Person or Persons as they shall appoint to receive the same: And in case any such Officer or other Persons shall not make and render, or shall refuse to verify upon Oath, any such Account, or to make such Payment as aforesaid; then, any one or more Justice or Justices of the Peace for the County of *Huntingdon* shall and may make Inquiry of and concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of one or more credible Witnesses or Witnesses upon Oath (which Oath any such Justice or Justices is and are hereby authorized and empowered to administer); and if any such Officer or Person shall be convicted of all or any of the Offences aforesaid, such Justice or Justices shall, upon such Conviction, commit the Party offending to the Common Gaol of the County of *Huntingdon*, there to remain, without Bail or Mainprize, until he shall have made a true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Committee, or any three or more of them, and have paid such Composition-money; which Composition the said Committee, or any three or more of them, are hereby empowered to make and receive.

VII. And whereas the Reverend *James Orem*, late Rector of *Connington* and *Denton*, in the said County of *Huntingdon*, deceased, did, by his Last Will and Testament, bearing Date the thirtieth Day of *May* one thousand seven hundred and sixty-nine, give and devise to the Reverend *Benjamin Addenbrooke* of *Folksworth*, in the said County of *Huntingdon*, and to *Alexander Arbuthnot* of *Cheapside*, *London*, Haberdasher (his Executors therein after appointed), the Sum of four thousand Pounds, three per Centum reduced Bank Annuities, Part of the Stock or Fund of that Denomination which was then standing in the Name of the said *James Orem*, in the Books kept at the Bank of *England*; upon Trust, nevertheless, that his said Executors, and the Survivor of them, and the Executors, Administrators, and Assigns of such Survivor, should pay, apply, and dispose of the whole Dividends, Interest, and Produce thereof, as the same should arise and become due, to and for the Use and Benefit of his Sisters-in-law, *Mary Gardner* and *Beatrix Shaw*, equally Share and Share alike, for and during their joint Lives; and from and after the Decease of one of them the said *Mary Gardner* and *Beatrix Shaw*, to pay the whole Dividends, Interests, and Produce of the said Sum of four thousand Pounds, as the same should arise and become due, to the Survivor of them, for and during the Term of her natural Life; and from and after the Decease of the longer Liver of them the said *Mary Gardner* and *Beatrix Shaw*, the said Testator willed, that the Sum of two thousand Pounds reduced Bank Annuities (Part of the said Sum of four thousand Pounds reduced Bank Annuities) should be transferred by his said Executors, to and in the Name of the Reverend *Charles Jenner* Doctor in Divinity, since deceased, the then Archdeacon of the County of *Huntingdon*, and in case of his Death, to his Successor for the Time being, to whom the said Testator gave and bequeathed the same, and the Interest and Produce thereof, upon the Trusts, and to and for the several Uses, Intents, and Purposes therein after expressed concerning the same; (that is to

Governors to elect Vice President, &c. in case of Vacancy.

All Questions in the General Court shall be decided by Vote.

Governors may appoint new Officers;

or suspend such as they shall think fit.

Committee vested with like Powers.

Officers to account to the Committee upon Oath.

On Default thereof, to be committed.

say), As to the Sum of one thousand Pounds (Part of the said two thousand Pounds reduced Bank Annuities) upon Trust, that he the said *Charles Jenner*, and his Successors for the Time being, Archdeacons of *Huntingdon*, should pay, apply, and dispose of the Interest, Dividends, and Produce of the said Sum of one thousand Pounds reduced Bank Annuities, as the same should become due, and be received, as an Increase or Augmentation of the annual Subscription, which was then carried on by the Gentlemen and Clergy of the said County of *Huntingdon*, for the Benefit of distressed Widows and Orphans of such Clergymen as were at any Time theretofore possessed of a Living or Benefice in the said County; and if the said Subscription should fail or be discontinued, then upon this further Trust, that the said *Charles Jenner*, and the succeeding Archdeacons of *Huntingdon* for the Time being, should pay, apply, and dispose of the Interest, Dividends, and Produce of the said one thousand Pounds reduced Bank Annuities, as the same should arise and become due, to such three necessitous and distressed Widows of Clergymen, who should have been resident in the said County, as the said Archdeacon and his Successors for the Time being should think fit, to be equally divided between them; and if at any Time there should not be three such Widows living in the said County, then upon Trust to pay and apply the Interest, Dividends, and Produce of the said one thousand Pounds reduced Bank Annuities, or so much thereof as should not be disposed of to the Widows of Clergymen in Manner before directed, to such necessitous Maiden Daughters of deceased beneficed Clergymen who should have lived in the said County, in such Shares and Proportions as he the said *Charles Jenner*, and the succeeding Archdeacons of *Huntingdon* for the Time being, should think fit: And whereas the said *Beatrix Shaw* is now the only surviving Sister-in-law of the said Testator, the said *Mary Gardner* being long since dead: And whereas the Reverend *Michael Tyson* (the present Archdeacon of *Huntingdon*) is desirous of resigning the said Trust to the Governors of the said Charity incorporated by this Act, in case he shall be enabled so to do; be it therefore further enacted by the Authority aforesaid, That the said one thousand Pounds reduced Bank Annuities shall, from and immediately after the Death of the said *Beatrix Shaw*, be transferred by the Executors of the said *James Orem* deceased, unto, and the same shall be and is hereby vested for ever in, the Governors of the Charity for the Relief of the poor Widows and Children of Clergymen within the said County of *Huntingdon*, incorporated by this Act, and the Interest, Dividends, and Produce, which shall, after such Transfer, arise therefrom, shall be paid and applied by the said Governors, to and for the charitable Purposes in the said Will mentioned, and to no other Use, Trust, Intent, or Purpose whatsoever; and that after such Transfer shall be made as aforesaid, the Executors under the Will of the said *James Orem* shall be discharged from so much of the Trusts in the said Will as relates to the said one thousand Pounds.

Archdeacon of
Huntingdon dis-
charged from the
Trust of a Le-
gacy given by
the late Reve-
rend Mr. Orem.

The Names of
Subscribers shall
be entered in a
Book, with the
Sums subscribed,
&c.

Expences of this
Act how to be
paid.

Limitation of
Actions.

General Issue.

Treble Costs.

Publick Act.

VIII. And be it further enacted by the Authority aforesaid, That the said Governors shall, from Time to Time, cause to be entered in a Book, to be kept for that Purpose, the Names of the Persons who shall subscribe or contribute, give, devise, or appoint, any Money, or any Real or Personal Estate, or other Matters or Things whatsoever, towards the Charity hereby established, with the Sums of Money, Goods, Chattels, Estates, or other Things, by them respectively contributed, given, limited, appointed, or devised, to the End that a perpetual Memorial may be made of the Benefactions of all such well-disposed Persons: And the Treasurers of the said Corporation, and each of them for the Time being, shall have full Power and Authority, from Time to Time, upon receiving any Money or other Profits for the Purposes aforesaid, to give proper Receipts and Acquittances for the same; and all such Receipts and Acquittances shall be a good and sufficient Discharge to the Person or Persons to whom they shall be given, for all such Money, or other Matters therein specified.

IX. And be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring and obtaining this Act shall be, in the first place, paid out of any Monies already subscribed or given for the charitable Purposes herein before mentioned, or which shall hereafter be subscribed, given, or bequeathed, to the said Corporation for the Benefit of the said Charity.

X. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in pursuance of this Act, then, and in every such Case, the Action or Suit shall be brought within six Calendar Months next after the Cause of Action shall arise, and not afterwards; and shall be laid and brought in the County of *Huntingdon*, 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 if it shall appear to be done in pursuance of this Act, or that such Action or Suit shall be brought after the Time limited in that Behalf, or in any other County or Place than as aforesaid, 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 shall have appeared; or if upon Demurrer Judgment be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs in other Cases by Law.

XI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

C A P. XXV.

An Act for taking down the Common Gaol of the County of *Hertford*, and for building a New Gaol in a more commodious Situation.

WHEREAS the Common Gaol of the County of *Hertford* is situate near the Middle of the Town of *Hertford*, and so closely encompassed by Buildings, that it is impossible to accommodate the unhappy Persons confined therein with a sufficient Supply of fresh Air, from which Circumstance the said Gaol is generally unhealthy, and frequently visited with a malignant Fever called the Gaol Distemper, the fatal Effects whereof have sometimes extended beyond the Limits of the said Gaol; and it is expedient that the said Gaol should be taken down, and a new one erected in a more airy Situation, in order to prevent the fatal Consequences attending the said Distemper; but the same cannot be done without the Aid of an Act 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 and may be lawful to and for the Justices of the Peace for the said County of *Hertford*, at their next General or Quarter Sessions of the Peace to be holden for the said County after the passing of this Act, or at any other subsequent Quarter Sessions, or the greater Number of such Justices assembled at any such Sessions, and they are hereby empowered to treat, contract, and agree, with the Owners or Proprietors of, or Persons interested in, any Houses, Buildings, Lands, Tenements, or Hereditaments, within or near to the said Town of *Hertford*, which they the said Justices so assembled, or the greater Number of them, shall adjudge necessary for the Purposes of this Act, for the Purchase thereof, at such Price or Prices as to the said Justices so assembled, or the greater Number of them, shall seem reasonable.

Preamble,

Justices empowered to purchase Lands, &c. for the Purposes of this Act.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for all Husbands, Guardians, Trustees, Committees, Executors, or Administrators, for or on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Females-covert, and for every other Person or Persons whomsoever, who are or shall be seised or possessed of or interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments, to contract for and sell, and convey the same, to the Justices of the Peace of and for the said County for the Time being, for such Sum and Sums of Money as shall be agreed upon; and that all such Contracts, Bargains, Sales, and Conveyances shall, without any Fine or Fines, Recovery or Recoveries, be good and valid in the Law to all Intents and Purposes, not only to convey all the Estate, Right, Title, and Interest, of the Person and Persons conveying, but all the Estate, Right, Title, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Females-covert, or other Person or Persons whomsoever, and all claiming or to claim by, from, or under them, or any of them, any Law, Statute, Usage, or any other Matter or Thing to the contrary thereof in any-wise notwithstanding; and that all Persons so contracting, agreeing, and conveying, as aforesaid, shall be indemnified for what they shall do by virtue and in pursuance of this Act.

Guardians, &c. empowered to contract for, or sell and convey Houses, Lands, &c.

and indemnified therein.

III. And be it further enacted, That upon Payment of the Sum or Sums so agreed or contracted for the Purchase of any such Houses, Buildings, Tenements, or Hereditaments, or legal Tender thereof, to the Parties concerned respectively, which Sum or Sums of Money the said Justices assembled at their General or Quarter Sessions as aforesaid, or the greater Number of them so assembled, are hereby authorized to order to be paid out of the Monies to be raised by this Act, such of the said Houses, Buildings, Lands, Tenements, or Hereditaments, for which such Value or Recompence shall have been contracted or agreed on, as aforesaid, shall, from thenceforth, by virtue of this Act, be vested in the Justices of the Peace of and for the said County of *Hertford*; and it shall and may be lawful for the said Justices, or the greater Number of them, so assembled as aforesaid, to order and direct such Houses or Buildings to be taken down, and to contract and agree with any Person or Persons for the taking down the same; and to sell and dispose of the Materials to such Person or Persons who shall be willing to purchase the same, for such Price or Prices as to them the said Justices, so assembled as aforesaid, or the greater Number of them, shall seem meet; and to apply the Monies to arise thereby for the Purposes of this Act, in such Manner as to the said Justices, so assembled as aforesaid, or the greater Number of them, shall seem meet; and this Act shall be sufficient to indemnify, as well the said Justices as all other Persons interested, their Heirs, Executors, Administrators, and Assigns, against all and every other Person and Persons, to all Intents and Purposes whatsoever.

Upon Payment of Purchase-money Justices to be vested in the Premises.

Justices empowered to take down Houses, and sell Materials;

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Justices to cause to be built and finished, upon any Lands or Grounds, or the Scite or Scites of any House or Houses, or other Buildings so to be purchased as aforesaid, a convenient Gaol, for the Confinement of Criminals, Debtors, and others, and also a proper Place for the Residence of the Gaoler, and such other Buildings and Conveniencies as shall be adjudged requisite by the said Justices at their Quarter Sessions, for the safe keeping of such Persons as shall be committed to the same, either for Debt, Felony, or any other Offence; which Gaol, when built and finished, is hereby declared to be a Publick and Common Gaol for the said County, and shall, from Time to Time, be maintained, supported, and repaired, by such Ways and Means as other Gaols in this Kingdom are by Law to be supported and maintained; and the Sheriff of the said County for the Time being shall have the keeping thereof, and shall have Power, when the said Gaol is made fit for the Reception and safe keeping of Prisoners, to remove thither all such Prisoners as shall then be in his Custody, which Removal shall not be deemed or taken to be an Escape:

and to build a new Gaol, &c.

Sheriff to have the keeping thereof, and to remove Prisoners thither.

Until a new Gaol be built Sheriff to remove Prisoners from the old Gaol to the House of Correction. Justices empowered to take down the old Gaol, and dispose of Materials.

How Money for the Purposes of this Act is to be raised.

Liberty of St. Alban to be assessed as well as the County; Gaol. to be raised therein;

In such Manner as Justices shall direct.

This Act not to prejudice the Rights of the Earl of Salisbury.

Churchwardens, &c. to collect Monies necessary for the Purposes of this Act, and to pay the same to the High Constables.

In case of Neglect or Refusal, to be levied by Distress.

‘ V. And to the End that the Materials of the said old Gaol may be applied towards the Building of the said new Gaol, be it further enacted by the Authority aforesaid, That until the said new Gaol shall be fit for the Reception and safe keeping of such Prisoners, it shall and may be lawful for the Sheriff of the said County for the Time being to remove such Prisoners to, and confine them in, the House of Correction at *Hertford*, or such other Place as the said Justices, so assembled as aforesaid, shall approve of; and that after such Removal or Removals, it shall and may be lawful to and for the said Justices, at their said General Quarter Sessions, to cause the present Gaol to be taken down, and the Ground or Scite thereof, or thereto belonging, to sell or otherwise dispose of, and the Materials thereof, or any Part thereof, either to use in or about the building or finishing such new Gaol, or to sell or otherwise dispose of, and the Money arising by any such Sale or Sales to apply towards the Expence and Charge of building and finishing such new Gaol; which Removal or Removals shall not be deemed or taken to be an Escape.

VI. And be it further enacted, That in order to raise the Sum of Money which shall be necessary for the Purposes of this Act, all and every the Messuages, Lands, Tithes Appropriate and Improprate, Tenements and Hereditaments, lying and being in the said County of *Hertford* (except as after is excepted), shall be, and are hereby made chargeable and liable to the Payment of so much of the Money which shall be necessary for the Purposes of this Act, to be raised and paid according to the yearly Value of such Messuages, Lands, Tithes Appropriate and Improprate, Tenements and Hereditaments, such yearly Value to be ascertained by the Poor's Rates of the respective Parishes and Places in which the same are respectively lying or being, in the Manner herein after mentioned; which said Money so as aforesaid being Part of the Money which shall be necessary for the Purposes of this Act, is hereby directed to be raised within the Space of four Years from the passing of this Act; but it is hereby provided, that the same in the Whole shall not exceed the Sum of Eight-pence in the Pound of such yearly Value, and that no greater Proportion thereof be raised in any one Year than Three-pence.

VII. And whereas the Liberty of *Saint Alban* is in the said County of *Hertford*, and Justices of the Peace are appointed for the said Liberty by a separate Commission of the Peace, distinct from the Commission of the Peace for the County of *Hertford* at large, and the said Liberty doth not contribute to pay to the County Rates made for the said County at large; nevertheless the said Liberty will receive a joint Benefit from the said new Gaol with the rest of the said County of *Hertford*, and therefore the Lands and Tenements within the said Liberty should be charged and rated towards raising the Money which will be necessary for the Purposes of this Act; be it therefore further enacted, That all and every the Messuages, Lands, Tithes Appropriate and Improprate, Tenements and Hereditaments, lying and being in the said Liberty of *Saint Alban*, (except as herein-after is excepted) shall be, and are hereby made chargeable and liable to the Payment of five hundred Pounds towards the Money which shall be necessary for the Purposes of this Act; to be raised and paid according to the yearly Value of such Messuages, Lands, Tithes Appropriate and Improprate, Tenements and Hereditaments, such yearly Value to be ascertained by the Poor's Rate of the respective Parishes and Places in which the said Messuages, Lands, Tithes Appropriate and Improprate, Tenements and Hereditaments, are respectively lying or being; and that, notwithstanding any Matter or Thing in this Act contained, the said Sum of Money herein-before directed to be raised in the said Liberty of *Saint Alban*, shall, and is hereby directed to be raised in the said Liberty, in such Manner and Proportion as to the Justices of the Peace of the said Liberty, in Quarter Session assembled, or the greater Number of them so assembled, shall seem meet, so that the same be paid by the Treasurer of the said Liberty for the Time being into the Hands of the Treasurer of the said County of *Hertford* for the Time being, within the Time herein-before mentioned for raising and paying the Money herein-before directed to be raised and paid for the Purposes of this Act in the rest of the said County of *Hertford*.

VIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to extinguish, restrain, or otherwise prejudice the Rights and Jurisdiction of an ancient Hundred Court, held by the Right Honourable *James* Earl of *Salisbury*, and his Predecessors, for the Hundred of *Cashio* or Liberty of *Saint Alban*, or to take away or abridge any Jurisdiction, Authority, Privileges, or Immunities, which the said *James* Earl of *Salisbury*, his Heirs or Assigns, enjoy, or ought to enjoy, as Lords of the Hundred of *Cashio*, or Liberty of *Saint Alban*, by virtue of any Law, Usage, Custom, Prescription, Grant, or Charter; any thing in this Act contained to the contrary thereof in any-wise notwithstanding.

IX. And be it further enacted, That for the more easy collecting the Monies which shall become necessary for the Purposes of this Act, the Churchwardens and Overseers of the Poor for the Time being, of each and every Parish and Place in the County of *Hertford*, shall, and they are hereby required, out of the Monies collected, or to be collected, for the Relief of the Poor of such Parish or Place, to pay unto the High Constables of the respective Hundreds or Divisions of the said County at large such respective Sums of Money as the yearly Value of all and every the Houses, Buildings, Lands, Tenements, or Hereditaments, in every such Parish or Place respectively (except as herein-after is excepted), shall amount unto, after such Rate in the Pound as the Justices assembled for the said County of *Hertford*, in the General or Quarter Sessions, or the greater Number of them so assembled, shall order and direct; such Payments to be made within the Space of thirty Days after Demand made thereof in Writing on such Churchwardens and Overseers of the Poor, or any of them, or left at their or any of their Dwelling-House or Houses by the said High Constable or Constables of the respective Hundreds or Divisions; which Demand the respective High Constables are hereby required to make within twenty-one Days next after Notice to them respectively given of such Order of Session; and in case such Churchwardens and Overseers of the Poor, or any of them, shall neglect or refuse to pay any Sum or Sums of Money hereby made payable by them as aforesaid (after Demand made as aforesaid), the respective High Constables shall, and they

they are hereby impowered to levy the same by Distress and Sale of the Goods and Chattels of such Churchwardens and Overseers so refusing or neglecting, in such Manner as is directed by the Act of Parliament, made in the twelfth Year of his late Majesty King *George* the Second, intituled, *An Act for the more easy assessing, collecting and levying of County Rates*, with respect to the Nonpayment of the Sums of Money thereby assessed and made payable by Churchwardens and Overseers of the Poor; and the respective High Constables of the said County are hereby required to pay over the said Monies which shall be so received by them, within fourteen Days after the Receipt of the same, unto the Treasurer of the County of *Hertford* for the Time being.

X. And to the Intent that the yearly Value of all and every the Houses, Buildings, Lands, Tenements, or Hereditaments, to be charged towards the Payment of the Money to be raised for the Purposes and by virtue of this Act, may be ascertained, be it further enacted, That the yearly Value of the said Houses, Buildings, Lands, Tenements, or Hereditaments, shall, for the Purposes of this Act, be deemed and taken to be the same as they are mentioned to be in the Rates made for the Relief of the Poor of the respective Parishes and Places where the said Houses, Buildings, Lands, Tenements, or Hereditaments, are respectively lying; and that the Churchwardens and Overseers of the Poor respectively of each and every Parish and Place in the County of *Hertford* shall, upon Demand, produce and shew to the said respective High Constables, and also to one or more of his Majesty's Justices of the Peace of the said County who shall require the same, such respective Poor's Rates; and in case of Neglect or Refusal so to do, such Churchwardens and Overseers shall forfeit and pay the Sum of forty Pounds; to be levied in the same Manner as the Monies made payable by this Act from Churchwardens and Overseers of the Poor, in case of Nonpayment of the same, are to be levied: And in case any of the said Churchwardens and Overseers of the Poor, with Intent to lessen the Monies intended to be raised by virtue of this Act, shall, in any of the Poor's Rates, fraudulently value their or any other Tenements at a lesser Value than they have been usually valued at in the respective Poor's Rates; then, and in such Case, every Churchwarden and Overseer so offending, shall, for every such Offence, forfeit and pay the Sum of forty Pounds; to be recovered in the Manner herein-after directed.

Monies to be raised according to the Poor's Rate.

Churchwardens, &c. to produce Poor's Rates to High Constables, &c.

In case of Refusal, or producing fraudulent Account, to forfeit 40l.

Churchwardens, &c. to give Receipts.

XI. And be it further enacted, That the Churchwardens and Overseers of the Poor of the several Parishes and Places in the said County of *Hertford* shall, for the Monies which shall be raised and collected for the Purposes and in pursuance of this Act, give Receipts to the respective Tenants and Occupiers of the said Houses, Buildings, Lands, Tenements, and Hereditaments, paying the same, who, upon producing such Receipts, shall be intitled to deduct such Monies as have been so paid by them, and specified in such Receipts, out of the Rent which shall become due to their respective Landlords.

Exemption of the Clergy.

XII. Provided always, That no Parson, Vicar, or Curate, for or in respect to his Parsonage, or Vicarage House, or of his Tithes or Glebe Lands not being Improprate, or his or their Tenant or Tenants, shall be liable to contribute or pay any Sum or Sums of Money for the Purposes of this Act, in respect of such Tithes or Glebe Lands, but the same are hereby exempted from such Payment; and that in case any such Parson, Vicar, or Curate, or their respective Tenant or Tenants, shall, for or in respect of any such Parsonage or Vicarage House, Tithes or Glebe Lands not being Improprate, out of the gross Sum which shall have been paid by the Churchwardens and Overseers of the Poor to the High Constable as aforesaid, happen to have paid any Sum or Sums of Money for the Purposes of this Act; that then, and as often as such Case shall happen, the Churchwardens and Overseers of the Poor shall, out of the succeeding Poor's Rate, repay such last mentioned Sum or Sums of Money to such Parson, Vicar, or Curate, or such respective Tenant or Tenants who shall have happened so to have paid the same, or shall permit and suffer every such Parson, Vicar, or Curate, or their respective Tenant or Tenants, to deduct such Sum and Sums of Money out of such last-mentioned Poor's Rate.

XIII. Provided always, and be it enacted, That nothing in this Act shall extend, or be construed to extend, to charge or make liable any Messuages, Lands, Tithes Appropriate or Improprate, Tenements, or Hereditaments, lying or being within the Borough of *Saint Alban*, with or to the Payment of any Money for the Purposes of this Act.

Borough of St. Alban not liable to any Expences in virtue of this Act.

XIV. And, in order to ascertain what Proportion of the said Rates shall be raised in any one Year, be it further enacted, That the Justices of the Peace for the County of *Hertford*, or the greater Number of them, in their General Quarter Sessions of the Peace assembled, shall have Power to ascertain and determine the same by Order of Sessions.

Justices to ascertain what Sums shall be raised in any one Year. How Surplus Monies are to be applied.

XV. And be it further enacted by the Authority aforesaid, That all such Charges and Expences as shall have been sustained or expended in or about procuring this present Act of Parliament, shall (in the first Place) be satisfied and paid out of the Monies to be raised by virtue or in pursuance of this Act; and that after such Charges and Expences, and the Charges of erecting, completing, and finishing the said Gaol and Buildings, and all Debts incurred thereby, and all other Monies to be paid in pursuance of this Act, shall be fully paid and satisfied, the Surplus of the Monies to be raised and levied by virtue of this Act shall, by Order of the said Justices, assembled in their General or Quarter Sessions as aforesaid, be paid into the publick Stock of the said County, and be deemed and taken, and shall and may be applied and paid, as Part of the common Stock to and for such Uses as the County Stock can or may be applied.

XVI. Provided always, and be it further enacted, That in case all the Charges and Expences of obtaining and passing this Act shall not be paid within six Months next after the passing of the same, the Treasurer of the said County of *Hertford* shall, and is hereby required, within one Month after the Expiration of the said six Months, to pay and defray all such Charges and Expences; and the said Justices are hereby authorized and required to allow the same in the said Treasurer's Accounts.

Treasurer of the County to pay the Expences of obtaining this Act, if not paid within six Months. Accounts to be made out annually.

XVII. And be it enacted by the Authority aforesaid, That some Time in the Month of *October*, in every Year, a fair and just Account shall be made out of all the Monies received and paid by virtue and

in pursuance of this Act, and how, and to whom, and when, and for what Purposes, the same have been laid out, paid, and expended; a Copy or Duplicate of which Account, signed by the said Justices, or the major Part of them, so assembled as aforesaid, shall be deposited with the Clerk of the Peace of the said County for the Time being, to be kept among the Records of the Sessions of the Peace, who shall permit any Person so rated or assessed, as aforesaid, to inspect the same at all reasonable Times, paying Sixpence for such Inspection; and shall upon Demand forthwith give Copies of the same, or any Part thereof, to such Person, paying at the Rate of one Shilling for every one hundred Words, and so in Proportion for any greater or less Number.

How Fines shall be levied and applied.

XVIII. And be it further enacted, That all pecuniary Fines, Penalties, and Forfeitures, hereby inflicted or authorized to be imposed, shall be recovered by Distress and Sale of the Offender's Goods and Chattels, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the said County of *Hertford*; and in case sufficient Distress shall not be found, it shall and may be lawful for any Justice or Justices to commit such Offender or Offenders to the Common Gaol, or House of Correction, of the said County, there to remain, without Bail or Mainprize, for any Time not exceeding three Months, or until the said Fines, Penalties, or Forfeitures, shall be paid; and that all such Fines, Penalties, and Forfeitures, shall be paid into the Hands of the Treasurer of the said County, and be applied for the Purposes of this Act.

Persons aggrieved may appeal to the Quarter Sessions.

XIX. Provided always, and be it further enacted, That all Persons who shall apprehend themselves overcharged or otherwise aggrieved by any Assessment or other Act to be made or done by virtue of this present Act, may appeal to the Justices of the Peace, assembled at their next Quarter Sessions held for the said County, after Demand of the Monies assessed, or after such other Act done, who shall and may make such Order therein as to them, or the major Part of them, then and there present shall seem meet.

Limitation of Actions.

XX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be brought and commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Hertford*, 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 if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue such Action or Suit, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for such Costs as any other Defendant or Defendants hath or have for Costs in any other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

XXI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and all Judges, Justices, and other Persons, shall take Notice thereof as such, without specially pleading the same.

C A P. XXVI.

An Act for appointing Commissioners for putting in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-five.*

C A P. XXVII.

An Act for admeasuring Waggons and other Carriages used in loading Coals on Board Ships at the several Ports of this Kingdom, in the same Manner as at the Ports of *Newcastle and Sunderland.*

Preamble.
Act 6 & 7 Gul.
III:

Act 11 Geo. II.
recited,

After July 5,
1775, his Majesty, &c. to appoint Commissioners for admeasuring and marking all Keels, Boats, Waggons, &c. used for carrying Coals, &c. as by Act 6 & 7 Gul. III.

WHEREAS by an Act of Parliament, made in the sixth and seventh Years of the Reign of his late Majesty King *William the Third*, intituled, *An Act for the better Admeasurement of Keels and Keel Boats in the Port of Newcastle, and the Members thereunto belonging*; and by another Act, made in the eleventh Year of the Reign of his late Majesty King *George the Second*, Keels, and all other Carriages used for the Carriage of Coals in the Ports of *Newcastle upon Tyne and Sunderland*, upon the River *Wear*, and all other Places within the Counties of *Northumberland and Durham*, are to be admeasured and marked, as in and by the said first-recited Act is directed: And whereas the said Admeasurement of Keels and other Carriages, used for the Conveyance of Coals, in order to be shipped from those Ports, hath been found by Experience to tend greatly to the Accommodation of Trade, and the Security of the Publick Revenue; and it is expedient that the Carriages used in loading Coals on Board Ships or Vessels in other Parts of *Great Britain* should be also admeasured and marked, in order that the Coal Trade throughout the Kingdom may be put upon a more equal Footing, and the Duties payable to his Majesty thereon may be more effectually secured and collected; may it therefore please your Majesty that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July*, one thousand seven hundred and seventy-five, it shall and may be lawful for his Majesty, his Heirs and Successors, by his or their Commission or Commissions issuing out of the Court of Exchequer in *England or Scotland* respectively, to nominate and appoint Commissioners for the admeasuring and marking all Keels, Boats, Waggons, Barrows, Carts, and Coups, and all other Vessels or Carriages whatsoever, which now are or hereafter may be used in the Carriage of Coals, in order to be laden on Board any Ship or Vessel for Exportation to foreign Parts, or to be carried Coastwise from any other Port or Place of this Realm, in the same Manner as such Commissioners are appointed in pursuance of the said first-recited Act for admeasuring and marking

ing of Keels and other Carriages used for the Carriage of Coals in the said Ports of *Newcastle* and *Sunderland*; which Commissioners, so to be appointed in pursuance of this Act, or any three or more of them, shall cause all Keels, Boats, Waggon, Barrows, Carts, and Coups, and all other Vessels and Carriages whatsoever, so used as aforesaid, at every other Port in this Kingdom, to be admeasured, weighed, numbered, and marked, at such Times and Places, and by such Person and Persons, as the said Commissioners shall respectively direct and appoint for that Purpose, in the Manner hereafter expressed; that is to say, all Keels, Boats, Waggon, Barrows, Carts, and Coups, and all other Vessels and Carriages whatsoever, used as aforesaid in the Carriage of such Coals as are usually sold by the Chalder, shall be measured with good middling Coals, by the Bushel commonly called *the Coal Bushel*, made round, with a plain and even Bottom nineteen Inches and an half from Outside to Outside, and to contain one *Winchester* Bushel and one Quart of Water, according to the Standard for the *Winchester* Bushel, described by an Act of Parliament made in the thirteenth Year of the Reign of his late Majesty King *William* the Third, for settling a Duty upon Malt, allowing thirty-six Bushels heaped up to one Chalder, and all Keels, Boats, Waggon, Barrows, and all other Vessels and Carriages used as aforesaid in the Carriage of such Coals as are usually sold by Weight, shall be measured by the Ton, containing twenty hundred Weight, each hundred Weight to contain one hundred and twelve Pounds Weight Avoirdupoise; and every such Waggon, Cart, Coup, or other Land Carriage, so admeasured as aforesaid, shall be numbered, marked, and nailed, on the Head and each Side thereof; and each and every Keel, Boat, or other Vessel or Water Carriage so used as aforesaid in the Carriage of such Coals as are usually sold by Weight, shall be admeasured by a dead Weight of Lead or Iron, allowing twenty hundred Weight Avoirdupoise to the Ton; and every such Keel, Boat, or other Vessel or Carriage, so used as aforesaid in the Carriage of any Coals by Water, whether usually sold by the Chalder or by Weight, so admeasured as aforesaid, shall be numbered, marked, and nailed, on each Side of the Stem and Stern and Midship thereof, or in such other Manner as the said Commissioners shall respectively direct, to denote what Quantity of Coals each respective Carriage will hold and carry up to the Mark so set thereon; and the several and respective Duties due and payable to his Majesty, his Heirs and Successors, for and upon such Coals, shall be charged, collected, and paid for the same, according to the Quantity of Coals such Keels, Boats, Waggon, Barrows, Carts, Coups, or other Vessels or Carriages, shall respectively contain up to the Mark so set thereon; any Law, Custom, or Usage to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That the said Commissioners appointed in pursuance of this Act, or any three of them, shall give three Days Notice of the Time and Place of such Admeasurement to the Owner or Owners of such Keels, Boats, Waggon, Barrows, Carts, Coups, or other Vessels or Carriages; and if after such Notice given, any Keel or other Carriage whatsoever shall be used or employed in the Carriage or Removal of any Coals, in order to be laden on Board any Ship or Vessel for Exportation to foreign Parts, or to be carried Coastwise in this Kingdom, before the same shall be measured, numbered, marked, and nailed, as aforesaid, every such Keel, Boat, Waggon, Barrow, Cart, Coup, or other Vessel or Carriage, together with the Coals which shall be laden thereon, shall be forfeited, and the same shall and may be seized by any Officer or Officers of the Customs, and prosecuted in the Manner herein-after directed.

III. And be it further enacted by the Authority aforesaid, That in case after the admeasuring, numbering, marking, and nailing, of any Keel, Boat, Waggon, Barrow, Cart, Coup, or other Vessel or Carriage, the Number or Mark so set thereon as aforesaid, or any Part thereof, shall be removed or altered, in order to frustrate the Intent and Meaning of this Act, such Keel, Boat, Waggon, Barrow, Cart, Coup, or other Vessel or Carriage, and the Coals, if any shall be laden thereon, shall be forfeited, and shall and may be seized and prosecuted as aforesaid; and the Owner or Owners of such Keel, Boat, Waggon, Barrow, Cart, Coup, or other Vessel or Carriage, and each and every Person or Persons who shall be any-ways concerned in or privy to the doing thereof, and who shall be convicted of such Offence upon the Evidence of one or more credible Witnesses or Witnesses before any one or more Justice or Justices of the Peace for the County, Town, or Place, where the Offence shall be committed, shall respectively forfeit the Sum of ten Pounds; to be levied upon his, her, or their Goods and Chattels by Distress and Sale thereof, by Warrant under the Hand and Seal of such Justice or Justices, rendering the Overplus, if any, to the Person or Persons distrained upon; and for Want of sufficient Distress, the Owner or Owners of such Keel, Boat, Waggon, Barrow, Cart, Coup, or other Vessel or Carriage, and the Person or Persons so convicted of such Offence shall, by like Warrant, be committed to the Common Gaol for the County, Town, or Place, where the Offence shall be committed, there to remain for the Space of three Months without Bail or Mainprize, unless the said Penalty of ten Pounds shall be paid before the Expiration of that Time.

IV. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July*, any Officer or Officers of the Customs appointed to examine and take an Account of the Quantity of any Coals, Culm, or Cinders, which shall be laden or shipped on Board any Ship or Vessel at any Port or Place whatsoever in this Kingdom, to be exported into foreign Parts, or to be carried Coastwise from such Port or Place to any other Port, Member, or Creek, within the same Port, or to any other Port or Place in *Great Britain*, shall and may freely enter and remain in and upon any Staith, Wharf, or other Place, from whence such Coals, Culm, or Cinders, are laden, or intended to be shipped off and laden, as aforesaid; and every Person who shall hinder, obstruct, molest, or oppose any Officer or Officers of the Customs in the due Execution of his or their Duty required and directed by this Act, shall, for every such Offence, forfeit the Sum of one hundred Pounds.

V. And be it further enacted by the Authority aforesaid, That all the Forfeitures and Penalties hereinbefore mentioned (after the deducting the Charges of seizing, prosecuting, and recovering the same) shall be divided, one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to such Officer

The Dimensions of the Bushel.

Keels, Boats, Waggon, &c. to be measured by the Ton, containing 20 Cwt. &c. Waggon, Cart, Keel, &c. to be numbered and marked, and in what Manner.

His Majesty's Duties to be paid according to the Quantity such Keels, Boats, &c. shall contain.

Commissioners to give three Days Notice to the Owners of Keels, &c. of the Time and Place of Admeasurement; and after such Notice, if any Keel, &c. be used before measured, &c. the same to be forfeited, &c. If any Numbers or Marks be removed, &c. after Admeasurement of Keels, Waggon, &c. they shall be forfeited, and the Owners or Persons concerned to forfeit 20l. which may be levied by Distress, or such Persons may be committed till Payment.

Persons appointed to take an Account of Coals, Culm, &c. shipped, &c. may enter and remain on any Wharf, &c. and every Person obstructing Officers in their Duty to forfeit 100l.

Forfeitures, &c. to be divided, one Moiety to his Majesty, and

the other to the Officer who shall sue for the same.

Collectors of the Customs to keep Accounts of the Time and Place where Keels, Boats, &c. are marked, &c.

Persons appointed to mark and measure Keels, Boats, &c. to make Oath before the Collector for the faithful Discharge of their Duty.

Limitation of Actions.

General Issue.

Treble Costs.

How Proceedings are to be regulated in Scotland.

ficer or Officers of the Customs as shall seize or sue for the same; and the said Forfeitures and Penalties (excepting in such Cases where other Directions are given in this Act) shall and may be prosecuted and sued for in his Majesty's Court of Exchequer in *England* or *Scotland* respectively.

VI. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of July, one thousand seven hundred and seventy-five, the Collector and Comptroller, or other principal Officer of the Customs, at every Port or Place in this Kingdom, where any Keels, Boats, Waggons, Barrows, Carts, or other Vessels or Carriages whatsoever, shall be measured and marked in pursuance of the Directions of this Act, or of any former Act or Acts of Parliament now in Force, shall register or cause to be registered, in a Book to be kept for that Purpose, an Account of the Time and Place when and where the said Keels, Boats, Waggons, Barrows, or other Vessels or Carriages, were measured, marked, and nailed, with the Dimensions, and the Name of the Owner or Owners thereof, and the Quantity of Coals each Keel, Boat, Waggon, Barrow, or other Vessel or Carriage, will respectively hold and carry up to the Mark set thereon; and every Person appointed, or to be appointed, to measure, mark, and nail such Keels, Boats, Waggons, Barrows, or other Vessels or Carriages, or to examine and take an Account of the Quantity of Coals laden there from on Board any Ship or Vessel, shall take an Oath before the Collector and Comptroller, or other principal Officer of the Customs at the Port or Place where he shall be so appointed, for the true and faithful Performance and Discharge of his Duty, according to the Directions and Instructions such Officer shall receive for that Purpose from the respective Commissioners of his Majesty's Customs in *Great Britain*, which Oath the said Collector and Comptroller, or other Principal Officer of the Customs, are hereby authorized and empowered to administer.

VII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced and prosecuted in the Court of Exchequer only in that Part of *Great Britain* called *England*, or in the Court of Session or Exchequer only in that Part of *Great Britain* called *Scotland* respectively, within the Space of four Calendar Months next after the Fact shall be committed or done: And if such Action or Suit shall be commenced or prosecuted in *England*; the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law: And if such Action or Suit shall be commenced or prosecuted in that Part of *Great Britain* called *Scotland*, the said Court of Session or Exchequer before whom such Action or Suit shall be brought shall allow the Defendant to plead this Act on his Defence, and if the Pursuer shall not insist on his Action, or if Judgment shall be given against the Pursuer, the Defendant shall and may recover the full and real Expences he may have been put to by any such Action or Suit.

C A P. XXVIII.

An Act for altering, explaining, and amending several Acts of Parliament of *Scotland*, respecting Colliers, Coal-bearers, and Salters.

Preamble.

WHEREAS by the Statute Law of *Scotland*, as explained by the Judges of the Courts of Law there, many Colliers and Coal-bearers and Salters are in a State of Slavery or Bondage, bound to the Collieries and Salt-works where they work for Life, transferable with the Collieries and Salt-works, when their original Masters have no further Use for them: And whereas Persons are discouraged and prevented from learning the Art or Business of Colliers or Coal-bearers, and Salters, by their becoming bound to the Collieries and Salt-works for Life, where they shall work for the Space of one Year, by means whereof there are not a sufficient Number of Colliers, Coal-bearers, and Salters, in *Scotland*, for working the Quantities of Coal and Salt necessarily wanted; and many new-discovered Coals remain unwrought, and many are not sufficiently wrought, nor are there a sufficient Number of Salters for the Salt-works, to the great Loss of the Owners and Disadvantage to the Publick: And whereas the emancipating or setting free the Colliers, Coal-bearers, and Salters in *Scotland*, who are now in a State of Servitude, gradually and upon reasonable Conditions, and the preventing others from coming into such a State of Servitude, would be the Means of increasing the Number of Colliers, Coal-bearers, and Salters, to the great Benefit of the Publick, without doing any Injury to the present Masters, and would remove the Reproach of allowing such a State of Servitude to exist in a free Country; 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 first Day of July, in this present Year one thousand seven hundred and seventy-five, no Person who shall begin to work as a Collier, Coal-bearer, or Salter, or in any other Way in a Colliery or Saltwork, in *Scotland*, shall be bound to such Colliery or Salt-work, or to the Owner thereof, in any other Way or Manner different from what is permitted by the Law of *Scotland* with regard to Servants and Labourers; and that they shall be deemed free, and shall enjoy the same Privileges, Rights, and Immunities with the rest of his Majesty's Subjects, any Law or Usage in *Scotland* to the contrary notwithstanding.

II. Provided always, That it shall be lawful for all Owners and Lessees of Collieries and Salt-works, and for Colliers, Coal-bearers, and Salters, to take Persons bound by Contract or Indenture, as Apprentices,

After July 1, 1775, no Person who shall begin to work as a Collier or Salter in Scotland to be bound in any other Way than other Servants. Owners of Collieries and Salt-works, &c. may take Apprentices.

to learn the Art or Business of Coal-hewing, Coal-bearing, or making Salt, for any Term of Years permitted by the Law of *Scotland* with regard to Apprentices in other Arts and Mysteries.

III. And be it further enacted by the Authority aforesaid, That all Persons under the Age of Twenty-one Years, upon the said first Day of *July*, employed as Colliers, Coal-bearers, or Salters, in *Scotland*, and bound to any Colliery or Salt-work, shall, after seven Years Service from the said first Day of *July*, be free from their Service and Servitude, and at Liberty to engage themselves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of Labour whatever.

IV. And be it further enacted by the Authority aforesaid, That all bound Colliers and Salters in *Scotland*, above the Age of twenty-one Years, and under the Age of thirty-five Years, upon the said first Day of *July*, after a Service of ten Years; and all Colliers and Salters above the Age of thirty-five Years, but under the Age of forty-five Years, at the said first Day of *July*, after a Service of seven Years; and after their having respectively found and sufficiently instructed a Person as an Apprentice, if required so to do by the Master or Lessee of the Colliery or Salt-work, within one Year after the said first Day of *July* next, in the Art or Mystery of Coal-hewing or making of Salt, of the Age of eighteen Years at least; when such Instruction shall be perfected, shall be free from any other Servitude or Bondage to the Colliery or Salt-work to which they were bound.

V. And be it also enacted, That all Colliers and Salters, bound to any Colliery or Salt-work in *Scotland*, above the Age of forty-five Years upon the said first Day of *July* next, shall, after three Years, be free and discharged from any further Servitude or Bondage to the Colliery or Salt-work to which they are bound.

VI. Provided always, and be it enacted by the Authority aforesaid, That if any bound Collier or Salter shall not sufficiently instruct an Apprentice in the Art or Mystery of Coal-hewing or making of Salt, if required by the Master or Lessee of the Colliery or Salt-work to which he is bound, as directed by this Act, such Collier or Salter shall nevertheless be free, after the Performance of an additional Service of three Years at the Colliery or Salt-work to which he is bound.

VII. Provided always, That every Collier or Salter, claiming Liberty under the Authority of this Act, shall, prior to his being freed from his Servitude or Bondage, obtain a Decree of the Sheriff Court of the County in which he resides, finding and declaring that he is intitled unto his Freedom, under the Authority of this Act.

VIII. And be it enacted by the Authority aforesaid, That for the Purpose of obtaining such Decree, it shall and may be lawful for the Collier or Salter claiming his Freedom to present a Petition to the Sheriff, Depute or Substitute of the County where he resides, stating his Claim of Freedom, and offering to prove the Facts which intitle him to it, and the Sheriff Depute or Substitute is hereby authorized and required to order the Petition to be served upon the Owner, Lessee, or Overseer, of the Colliery or Salt-work to which the Petitioner is bound, and to order an Answer to be put in to the Petition in ten Days after Service, stating the Objection or Objections to the Freedom claimed, if any such are intended to be made; and the Sheriff shall thereafter proceed in a summary Way in taking the Proofs, and all other Procedure necessary, until a Decree shall be pronounced; and if the Decree of the Sheriff shall be against the Petitioner, finding him not intitled to Freedom, it shall nevertheless be competent to such Petitioner, at any Period after the Expiration of one Year, to present a second Petition, stating his Claim of Liberty of new, and which shall be proceeded upon in the same Manner as the former; and if the Petitioner fails in obtaining a Decree for him on the second Petition, he may, after the Expiration of one Year from the Date of the second Decree, present a third Petition, which shall likewise be proceeded upon in the same Manner; and if he fails in obtaining a Decree upon his third Petition, he may present a fourth, and so on, till he obtains a Decree declaring his Freedom, one Year at least being expired after a Decree upon one Petition before it shall be competent to present another.

IX. Provided always, That in case it shall be proved to the Satisfaction of the said Sheriff, that the Person so applying by Petition has, subsequent to the passing of this Act, been guilty of entering into any unlawful Combination with the other Colliers or Salters to leave off working, in order to distress or injure the Proprietor or Lessee of such Coal or Salt-work, or in order to compel him to increase the Wages or Allowances usually paid for the said Work; or that the Person so applying shall have wilfully deserted the said Works; then, and in that Case, the Person guilty of such Offences shall not be intitled to the Benefit of the said Act until the Expiration of two Years after the respective Periods at which, in Terms of this Act, he would have been intitled to his Freedom, if he had not been guilty of such Offences.

X. And be it further enacted by the Authority aforesaid, That it shall not be competent for the Respondent or Respondents to such Petition to remove the Proceedings upon it into the Court of Session in *Scotland*, by Advocation, or to complain of any Decree by Appeal or Suspension, or to sue for Reduction of any such Decree; and that every Decree upon such Petition, finding and declaring the Freedom of the Petitioner, shall be final and conclusive against the Person to whom the Petitioner was bound.

XI. And be it further enacted by the Authority aforesaid, That when Colliers or Salters obtain their Freedom under the Authority of this Act, their Wives and Children in Family with them, and all others who make Part of their Family, and are Coal-bearers, or otherwise assistant to them, shall likewise be free.

XII. And be it further enacted by the Authority aforesaid, That all Coal-bearers and other Labourers in Collieries or Salt-works, who are bound to any Colliery or Salt-work in *Scotland*, and do not belong to the Family of any particular Collier or Salter, shall, if under the Age of forty-five Years, after seven Years Service, from the said first Day of *July*, be free from their Service and Servitude, and at Liberty to engage themselves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of

Persons employed as Colliers, &c. under 21 Years, shall be free after seven Years Service.

All bound Colliers and Salters above 21 and under 35 after a Service of ten Years, and those above 35 and under 45 after seven years, to be free, having found and instructed Apprentices, if desired.

Bound Colliers, &c. above 45 Years to be free after three Years.

Colliers and Salters not properly instructing Apprentices, to serve 3 Years longer than the Time specified, and then to be free. Colliers, &c. claiming Liberty to obtain a Decree of the Sheriff Court, &c.

In what Manner Colliers and Salters are to sue out their Freedom.

Persons guilty of unlawful Combinations, &c. to serve two Years after they would have been intitled to their Freedom.

Respondent to any Petition may not remove the Proceedings upon it into the Court of Session. All Decrees declaring Freedom to be final.

When Colliers or Salters obtain their Freedom, all their Family to be also free.

All Coal-bearers who are bound, &c. and under 45 Years, to serve seven Years; and above 45, to serve three Years.

Work whatsoever, and if above the Age of forty-five Years they shall be free after a Service of three Years.

All Colliers, &c. having obtained their Freedom, are intitled to the Benefit of the Act of Scotland, for preventing wrongous Imprisonment, &c.

XIII. And be it further enacted by the Authority aforesaid, That from and after the first Day of July, in this present Year one thousand seven hundred and seventy-five, all Colliers and Salters then free, and all Persons that may thereafter become Colliers and Salters, and all Colliers and Salters bound to any Colliery or Salt-work upon the said first Day of July, from the Time of obtaining their Freedom under the Authority of this Act, shall be intitled to the Benefit of an Act made in the Parliament of Scotland, in the Year one thousand seven hundred and one, intituled, *Act for preventing wrongous Imprisonment, and against undue Delays in Trials*; any Thing in the said Act to the contrary notwithstanding.

C A P. XXIX.

An Act to repeal two Acts, made in the Parliament of Scotland, the twenty-eighth Day of June, one thousand six hundred and thirty-three, intituled, *Act anent the Clan Gregour*, and the fifteenth Day of June, one thousand six hundred and ninety-three, intituled, *Act for the Jusiciary in the Higblands*, so far as relates to the *Mac Gregours*; and to revive an Act of the said Parliament of the twenty-sixth Day of April, one thousand six hundred and sixty-one, relative to the People called *Mac Gregours*.

Preamble.

Act of the Parliament of Scotland, 1633, Car. I. recited.

WHEREAS in the Parliament of Scotland, being the first Parliament of King Charles the First, holden at Edinburgh, the twenty-eighth Day of June, one thousand six hundred and thirty-three, an Act passed, intituled, *Act anent the Clan Gregour*, ratifying and approving all Acts of Council and of Parliament made theretofore against the Clan of *Mac Gregour*, and ordaining the Clan or People of the Name of *Gregour* or *Mac Gregour*, and every one of them, at arriving at the Age of Sixteen, to give Security to the Privy Council of Scotland for their good Behaviour and Obedience; and that the said *Clan Gregour* should take to them some other Surname; and that upon their Failure to appear, it should be lawful to any of his Majesty's Lieges to take and apprehend them to be presented to the Privy Council, there to be taken Order with; and if it should happen any of the said *Clan Gregour* to be hurt, mutilated, or slain, the Party so doing and their Accomplices should no Ways be subject or liable to Law therefore, nor incur any Pain or Skaith in Body or Goods, and should be free of all Pursuit, Criminal or Civil, and the same should be holden as good Service done to his Majesty; and that for the better extinguishing and extirpating the said Clan, no Minister or Preacher within the Bounds therein mentioned should at any Time thereafter baptize or christen any Male Child by the Name of *Gregour*, and that no Clerk or Notary at any Time coming should make or subscribe any Bond or other Security under the Name of *Gregour*: And whereas in the first Parliament of King Charles the Second, holden at Edinburgh, Anno one thousand six hundred and sixty-one, an Act passed, bearing Date the twenty-sixth Day of April in that Year, whereby his Majesty, considering that those who were formerly designed by the Name of *Mac Gregour* had, during the Troubles, carried themselves with such Loyalty and Affection to his Majesty as might justly wipe off all Memory of their former Milcarriages, and take off all Mark of Reproach put upon them for the same; and his Majesty being desirous to reclaim his Subjects from every evil Way, and to give all due Encouragement to such as lived in due Obedience and Submission to his Majesty's Authority and Laws of the Kingdom, therefore his Majesty, with Advice and Consent of his Estates of Parliament, rescinded, called, and annulled the thirtieth Act of the First Parliament of King Charles the First, intituled, *Act anent the Clan Gregour*, and declared the same void and null in all Time coming, and that it should be thereafter free to all Persons come of the Name and Race of the *Clan Gregour* to keep and make use of the said Name of *Gregour*, or *Mac Gregour*, and enjoy all Privileges and Immunities as other Subjects, notwithstanding the said Act, or any other Acts, or any Thing therein contained, to the contrary: And whereas in the Reign of King William and Queen Mary an Act passed in the Parliament of Scotland, the fifteenth of June, one thousand six hundred and ninety-three, intituled, *Act for the Jusiciary in the Higblands*, whereby their Majesties, with the Advice and Consent of the Estates of Parliament, revived the Act of Parliament of one thousand six hundred and thirty-three against the *Clan Gregour*, notwithstanding the same was rescinded in the Year one thousand six hundred and sixty-one, which Act rescissary their Majesties did, by this Act, annul and make void: And whereas those Persons who were the Objects of the aforesaid Acts did generally give Obedience to the Law, by assuming other Names, and many of the Descendants of those Persons now bear the Names that were by them so assumed: And whereas the Causes inductive of the Acts for suppressing the Name of *Gregour*, or *Mac Gregour*, are now little known, and have long ago ceased, and those Acts being incapable of Execution ever since the Powers of the Privy Council of Scotland were abolished, many Persons considering them to be ineffect, and for the most part obsolete, do now use the Name of *Mac Gregour*: And whereas many Persons of the Surname of *Mac Gregour* have found divers Inconveniences arising to them from the said Acts of the Parliament of Scotland, particularly by being disabled, and apprehending themselves disabled thereby, from suing and defending in their own true Names in Courts of Law and Justice in *North Britain*; and are desirous to re-assume the real Name of their Ancestors and Families, but are unwilling so to do while there is the Appearance of a legal Prohibition standing against them; and for as much as they cannot be fully relieved without the Authority of Parliament, may it therefore please your Majesty (upon the humble Petition of *Gregor Drummond*, Esquire, for himself and and many others), 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

Act of the Parliament of Scotland, 1661, Car. II. recited.

Act of the Parliament of Scotland, 1693, Gul. at Maria, recited.

The above-recited Acts of the Parliament of

Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said Act of the Parliament of *Scotland*, of the twenty-eighth Day of *June* one thousand six hundred and thirty-three, and the said Act of the Parliament of *Scotland*, of the fifteenth Day of *June* one thousand six hundred and ninety-three, so far as respects the *Clan Gregour*, or *Mac Gregour*, shall be and stand repealed, rescinded, annulled, and void, to all Intents and Purposes whatsoever.

II. And it is hereby further enacted, That the said Act of the Parliament of *Scotland*, made the twenty-sixth Day of *April* one thousand six hundred and sixty-one, be and the same is hereby revived, and declared to be in full Force and Vigour in Time coming.

C A P. XXX.

An Act for allowing the Officer appointed to mark or stamp the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom, in pursuance of an Act made in the last Session of Parliament, to take certain Fees in the Execution of his Office.

WHEREAS by an Act, made in the fourteenth Year of the Reign of his present Majesty, intitled, *An Act for regulating and ascertaining the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom*, it is enacted, That exact Duplicates or Copies of the several Standard Weights therein mentioned shall be delivered to and lodged in the Custody of an Officer, to be from Time to Time appointed for that Purpose, with a Salary not exceeding the yearly Sum of two hundred and fifty Pounds; and that, from and after the Day therein mentioned, all Weights to be made use of for weighing the said Gold and Silver Coin shall be ascertained by the said Duplicates or Copies; and after having been tried and compared therewith, and found to be just and true, shall, in Testimony thereof, be marked by the said Officer with a Stamp or Mark, which the said Officer is thereby directed to provide; and is also required, upon Application made to him, at all reasonable Hours, to stamp or mark, in Manner therein mentioned, all Weights to be used for weighing the said Gold and Silver Coin which should be brought to him for that Purpose, and which he should find to be just and true, according to the said Duplicates or Copies of the Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof respectively, by the said Act directed to be lodged in his Custody, without Fee or Reward, and without wilful Delay: And whereas the Officer appointed for the Purpose aforesaid, in pursuance of the said Act, hath hitherto duly executed the same, but is unable by himself to give that Dispatch therein which the present Demands of the Publick require; and it would greatly tend to the speedy carrying the Intention of the said Act into Execution, if the said Officer were permitted to take a small Fee for the stamping or marking the said Weights, towards reimbursing him the necessary Expence of procuring an extraordinary Number of Assitants adequate to the said Demands, which, as the Law now stands, he is not allowed to do: 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 and may be lawful to and for *John Whitehurst*, the present Officer, and every other Officer to be from Time to Time appointed for the Purpose aforesaid, in pursuance of the said Act, and he and they are hereby respectively authorized and empowered, to ask, demand, and receive, of and from all and every Person and Persons bringing Weights to the said Office, to be stamped or marked in pursuance of the said Act, any Sum of Money not exceeding one Penny for every twelve Weights so stamped or marked before he delivers the same; any Thing in the said recited Act contained to the contrary in any wise notwithstanding.

C A P. XXXI.

An Act for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season.

WHEREAS the Fisheries carried on by his Majesty's Subjects of *Great Britain* and of the *British* Dominions in *Europe* have been found to be the best Nurseries for able and experienced Seamen, always ready to man the Royal Navy when Occasions require; and it is therefore of the highest national Importance to give all due Encouragement to the said Fisheries, and to endeavour to secure the annual Return of the Fishermen, Sailors, and others employed therein, to the Ports of *Great Britain*, and of his Majesty's Dominions before mentioned, at the End of every Fishing Season: Now, in order to promote these great and important Purposes, and with a View, in the first place, to induce his Majesty's Subjects to proceed early from the Ports of *Great Britain* to the Banks of *Newfoundland*, and thereby to prosecute the Fishery on the said Banks to the greatest Advantage, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *January*, one thousand seven hundred and seventy-six, the respective Bounties herein after mentioned shall be paid and allowed annually, for eleven Years, for a certain Number of Ships or Vessels employed in the *British* Fishery on the Banks of *Newfoundland*, under the Limitations and Restrictions herein after expressed; that is to say, Such Vessels shall appear by their Register to be *British* built, and owned, by his Majesty's Subjects residing in *Great Britain*

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Scotland, 1633 and 1693, so far as they respect the *Clan Gregour*, are by this Act repealed.

The Act of the Parliament of *Scotland*, April 26, 1661, hereby revived, and in full Force.

Preamble.

Act 14 Geo. III. recited.

J. Whitehurst empowered to take 1 d. for every twelve Weights stamped.

Preamble.

After Jan. 1, 1776, Bounties to be given to Vessels fitted out from *Great Britain* or *Ireland* for the *Newfoundland* Fishery.

qualified as by
Act 10 & 11
Gul. III.

Certificates to be
produced to the
Collector of Cust-
oms from the
Governor of
Newfoundland,
of the Qualifica-
tion of Ships,
&c.

Masters and
Mates to make
Oath.

Certificates and
Oaths to be
granted and ad-
ministered with-
out Fee.
Collectors of
Customs to pay
the Bounties.

Any Part of
Newfoundland
not in use may
be used for cur-
ing and drying
Fish.

What Bounties
are to be given
to Ships fitted
out for the Whale
Fishery.

Masters and
Mates making
Oath, &c.

or Ireland, or the Islands of *Guernsey, Jersey, or Man*; and be of the Burthen of fifty Tons or upwards, and navigated with not less than fifteen Men each, Three-fourths of whom, besides the Master, shall be his Majesty's Subjects; and in other Respects qualified, and subject to the same Rules and Restrictions, as are described by an Act, made in the tenth and eleventh Years of the Reign of the late King *William the Third* (intituled, *An Act to encourage the Trade to Newfoundland*); and shall be fitted and cleared out from some Port in *Great Britain* after the said first Day of *January*, one thousand seven hundred and seventy-six, and after that Day in each succeeding Year, and shall proceed to the Banks of *Newfoundland*; and having caught a Cargo of Fish upon those Banks, consisting of not less than ten thousand Fish by Tale, shall land the same at one of the Ports on the Southern or Eastern Side of the Island of *Newfoundland*, between *Cape Ray* and *Cape de Grat*, on or before the fifteenth Day of *July* in each Year; and shall make one more Trip at least to the said Banks, and return with another Cargo of Fish caught there to the same Port; in which Case, the twenty-five Vessels first arriving at the said Island of *Newfoundland* from the Banks thereof, with a Cargo of Fish caught there, consisting of ten thousand Fish by Tale at the least, and after landing the same at one of the Ports within the Limits before mentioned in *Newfoundland*, shall proceed again to the said Banks, and return to the said Island with another Cargo of Fish, shall be intitled to forty Pounds each; and one hundred Vessels which shall so arrive the next in Order of Time, on or before the said fifteenth Day of *July* in each Year, at the said Island, with a like Cargo, and shall proceed again to the said Banks, and return from thence in the Manner herein before mentioned, shall be intitled to twenty Pounds each; and one hundred other Vessels, which shall so arrive the next in Order of Time, on or before the said fifteenth Day of *July* in each Year, at the said Island, with a like Cargo, and shall proceed again to the said Banks, and return from thence in the Manner herein before mentioned, shall be intitled to ten Pounds each, upon the Master or Owner of such Vessel's producing to the Collector of his Majesty's Customs at the Port in *Great Britain* from whence such Vessel was cleared out, a Certificate, under the Hand and Seal of the Governor of *Newfoundland*, that the Master of such Vessel had produced to him a Certificate under the Hands of the Collector and Comptroller of the Customs at the Port from whence such Vessel was cleared out, testifying that such Vessel was duly qualified to proceed on such Fishery, in pursuance of the before-mentioned Act, made in the tenth and eleventh Years of King *William the Third*; and that it has been made appear to his Satisfaction, by a Certificate under the Hand and Seal of the Naval Officer of the District in *Newfoundland* where such Fish was landed, or, where there is no Naval Officer, under the Hand and Seal of the Commander of any of his Majesty's Ships stationed there, or of such Officer as the Governor shall approve, specifying the Time of such Vessel's Arrival, in Manner before directed, that such Vessel was intitled by the Priority and Time of her Arrival to one or other of the Bounties therein mentioned, as the Fact may be; and that the Master and Mate of such Vessel had made Oath before such Naval or other Officer as aforesaid, that the Number of Fish taken on the first Trip amounted to ten thousand at least by Tale, that he had made two Trips at least, and that all the Fish on both Trips were caught on the Banks of *Newfoundland*; which Certificate and Oath the said Governor and Naval or other Officer as aforesaid are hereby empowered and required to grant and administer to the Master and Mate of such Vessel without Fee or Reward; and upon delivering up the said Certificate to such Collector, the respective Bounties therein mentioned shall be paid by such Collector out of any Money remaining in his Hands arising by the Duties of Customs or other Subsidies upon foreign Goods imported into this Kingdom; and in case such Collector shall not have sufficient Money in his Hands to pay the said Bounties, he shall certify the same to the Commissioners of his Majesty's Customs in *England* or *Scotland* respectively, who are hereby authorized and required to order the same to be paid by the Receiver General of the Customs, out of any Money in his Hands arising by any of the Duties and Revenues under their Management respectively.

II. And be it further enacted by the Authority aforesaid, That, for the better Accommodation of the Persons belonging to Vessels employed in the *Newfoundland* Fishery, it shall and may be lawful for the Masters and Crews belonging to any Vessels fitted out and employed in that Fishery, in pursuance of this or any other Act, to occupy and use, for the Purpose of curing, salting, drying, and husbanding their Fish, any vacant or void Space whatever on any Part of *Newfoundland* which is not then occupied and used for the said Fishery, without any Let, Disturbance, or Hindrance, from any Person or Persons whatsoever, although such unoccupied Places may not before have been reputed Ships Rooms; and all such unoccupied Places shall from henceforth be deemed and taken to be Ships Rooms, any Custom or Usage to the contrary notwithstanding.

III. And in order to induce his Majesty's Subjects in *Great Britain* and *Ireland*; and the Islands of *Guernsey, Jersey, and Man*, to carry on the Whale Fishery on the Coasts of *Newfoundland*, and the Seas adjacent, be it further enacted by the Authority aforesaid, That the several Bounties hereafter mentioned shall be allowed annually, for eleven Years, for five Vessels employed in that Fishery, under the Limitations and Restrictions herein after expressed; that is to say, Such Vessels shall appear by their Register to be *British* built, and owned by his Majesty's Subjects residing in *Great Britain, Ireland*, or the Islands of *Guernsey, Jersey, or Man*, and navigated with Three-fourths of his Majesty's Subjects of *Great Britain, Ireland*, or the Islands of *Guernsey, Jersey, or Man*, besides the Master, and shall be fitted and cleared out from some Port in *Great Britain* or *Ireland*, or the Islands of *Guernsey, Jersey, or Man*, after the first Day of *January*, one thousand seven hundred and seventy-six, and after that Day in each succeeding Year, and shall take and kill one Whale at least in the *Gulph of Saint Lawrence*, or on the Coasts of *Labrador, Newfoundland*, or in any Seas to the Southward of the *Greenland Seas* and *Davis's Straights*, and shall return within the same Year to some Port in *England* with the Oil of such Whale or Whales so taken as aforesaid; and on the Master and Mate of such Vessel, and two of the Mariners belonging to her, making Oath before the Collector and Comptroller of the Customs at the Port of her Arrival (which Oath they are hereby authorized and required to administer), that such Oil is the Produce of one or more Whale or

Whales

Whales taken and killed by the Crew then belonging to such Vessel, mentioning the Time when she departed from *Great Britain, Ireland, or the Islands of Guernsey, Jersey, or Man,* and from what Port, and the Time and Place where such Whale or Whales was or were taken and killed, such Oil may be landed without Payment of any Duty whatsoever; and the Collector and Comptroller of such Port shall thereupon forthwith transmit such Oath to the Commissioners of his Majesty's Customs at *London,* any four or more of whom are hereby authorized and required to order the Receiver General of his Majesty's Customs to pay, out of any Money in his Hands arising by any Duties under their Management, for the Vessel which shall so arrive in each Year with the greatest Quantity of Oil taken as aforesaid, five hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, four hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, three hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, two hundred Pounds; and for the Vessel which shall so arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, one hundred Pounds; the said Oil so to be imported by each of the said Vessels being the Produce of one Whale at the least; which said several and respective Bounties shall be paid by such Receiver General, within two Months after the Expiration of each Year in which such Vessel shall arrive, to the Owner or Owners of such Vessels so intitled thereto, or their Assigns duly authorized to demand the same.

IV. And in order to obviate any Doubts that have arisen, or may arise, to whom the Privilege or Right of drying Fish on the Shores of *Newfoundland* does or shall belong, under the before-mentioned Act, made in the tenth and eleventh Years of the Reign of King *William the Third,* which Right or Privilege has hitherto only been enjoyed by his Majesty's Subjects of *Great Britain,* and the other *British* Dominions in *Europe;* be it enacted and declared by the Authority aforesaid, That the said Right and Privilege shall not be held and enjoyed by any of his Majesty's Subjects arriving at *Newfoundland* from any other Country except from *Great Britain,* or one of the *British* Dominions in *Europe.*

V. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful for any of his Majesty's Subjects residing in *Ireland* to ship and lade there, and to transport directly from thence to *Newfoundland,* or to any Part of *America* where the Fishery is now or shall hereafter be carried on, on Board any Ship or Vessel which may lawfully trade or fish there, any Provisions, and also any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships or Vessels carrying out the same, and the Craft belonging to and employed by such Ships or Vessels in the said Fishery, such Provisions, Hooks, Lines, Netting, or other Tools or Implements, being the Product and Manufacture of *Great Britain or Ireland;* and that it shall and may be lawful for any of his Majesty's Subjects residing in the *Ile of Man,* in like Manner to export directly from thence any of the Articles herein before mentioned for the Purpose aforesaid, such Articles being the Product or Manufacture of *Great Britain,* or the said *Ile of Man,* any Law, Custom, or Usage, to the contrary notwithstanding.

VI. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Master or other Person taking Charge of such Ship or Vessel shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate, under the Hand and Seal of the Collector or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, Hooks, Lines, Netting, or other Tools and Implements, that the same are of the Product and Manufacture of *Great Britain or Ireland,* or the *Ile of Man* respectively, as the Fact may be, and that the several Articles before mentioned (except the Provisions), specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crews of the respective Ship or Vessel carrying out the same, and by the Craft belonging to and to be employed by such Ship or Vessel in the said Fishery, and for no other Use or Purpose whatsoever (which Oath and Certificate such Collector or other Officer is hereby authorized and required to administer and grant without Fee or Reward); and on Failure of producing such Certificate, or if any such Hooks, Lines, Netting, Tools and Implements, are used or disposed of for any other Purpose, the same, and the Ship or Vessel having the same on Board, shall be liable to be seized and forfeited in the same Manner as they would have been subject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithstanding.

VII. And it is hereby further enacted by the Authority aforesaid, That from and after the first Day of *January,* one thousand seven hundred and seventy-six, all Vessels fitted and cleared out as Fishing Ships in pursuance of this Act, or of the before-mentioned Act, made in the tenth and eleventh Years of the Reign of the late King *William the Third,* and which shall be actually employed in the Fishery there, or any Boat or Craft whatsoever employed in carrying Coastwise, to be landed or put on Board any Ships or Vessels, any Fish, Oil, Salt Provisions, or other Necessaries, for the Use and Purpose of that Fishery, shall not be liable to any Restraint or Regulation with respect to Days or Hours of working, nor to make any Entry at the Customhouse at *Newfoundland,* except a Report to be made by the Master on his first Arrival there, and at his clearing out from thence; and that a Fee not exceeding two Shillings and Sixpence shall and may be taken by the Officers of the Customs at *Newfoundland* for each such Report; and that no other Fee shall be taken or demanded by any Officer of the Customs there, upon any other Pretext whatsoever relative to the said Fishery, any Law, Custom, or Usage, to the contrary notwithstanding.

VIII. Provided always, and be it enacted, That in case any such Fishing Ship or Vessel shall at her last clearing out from the said Island of *Newfoundland* have on Board, or export any Goods or Merchandise whatsoever, except Fish, or Oil made of Fish, such Ship or Vessel, and the Goods thereon laden, shall be subject and liable to the same Securities, Restrictions, and Regulations, in all Respects, as they would

Receiver General of his Majesty's Customs to pay the Bounties.

What Persons are intitled to the Privilege of drying Fish on the Banks of *Newfoundland.*

Provisions, and all Necessaries for fishing, may be exported from *Ireland* and the *Ile of Man* to *Newfoundland,* being *British* or *Irish* Product or Manufacture.

Masters of Vessels to produce Certificates from the Officer of Customs, that the Provisions, &c. are the Product, &c. of *Great Britain or Ireland.*

On Failure, &c. the Ship to be forfeited.

No Fishing Ships, or any Craft carrying Necessaries for the Fishery, to be liable to any Restraint as to Time of working, nor to make any Entry at the Customhouse, &c.

If Ships have on Board any other Goods than Fish or Oil, &c. they shall be under the usual Restrictions, &c.

would have been subject and liable to if this Act had not been made, any Thing herein before contained to the contrary notwithstanding.

Act 25 Car. II. allowing Train Oil, &c. to be imported Duty-free, recited,

and after Sept. 1, 1775, extended to all Ships belonging to Great Britain, Ireland, Guernsey, &c.

After Sept. 1, 1775, undressed Seal Skins may be imported Duty-free.

Not to extend to any Seal Skins except those imported by Ships qualified as aforesaid,

and duly entered at the Customhouse, &c.

No Shipmaster to carry any Fishermen, &c. as Passengers to any Part of the Continent of America without Permission, under the Penalty of 200 l.

Regulations for Persons employing Seamen or Fishermen at Newfoundland.

IX. And whereas by an Act, made in the twenty-fifth Year of the Reign of King Charles the Second (intituled, *An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade*), and by other Acts of Parliament, it is lawful for any Person or Persons to import into England Train Oil or Blubber of Greenland, and Parts adjacent, and those Seas, or of Newfoundland, or of any other his Majesty's Colonies and Plantations, made of Fish, or of any other Creature living in the Seas, and Whale Fins caught in any Ships or Vessels truly and properly belonging to England or Wales, or Town of Berwick upon Tweed, and imported in such Ships, without paying any Custom or Duty for the same, which Liberty, by a subsequent Act of Parliament, is extended to Ships belonging to Great Britain; and it is reasonable that the same Indulgence should be extended to Oil and Blubber of Fish, and other Creatures living in the Sea, and to Whale Fins caught in any Part of the Ocean by Ships belonging to Great Britain, Ireland, and the Islands of Guernsey, Jersey, and Man; be it therefore enacted by the Authority aforesaid, That from and after the first Day of September, one thousand seven hundred and seventy-five, the Liberty granted by the said Act to import into this Kingdom Oil or Blubber of Fish, or other Creatures living in the Sea, or Whale Fins taken within the Limits therein mentioned, Duty-free, shall extend, and be construed to extend, to such Oil or Blubber, or Whale Fins, as shall be so taken in any Part of the Ocean by, and imported in any Ship or Vessel truly and properly belonging to, his Majesty's Subjects of Great Britain, Ireland, or the Islands of Guernsey, Jersey, or Man, any Law, Custom, or Usage, to the contrary notwithstanding.

X. And it is hereby further enacted by the Authority aforesaid, That from and after the first Day of September, one thousand seven hundred and seventy-five, it shall and may be lawful for any Person or Persons to import into this Kingdom any raw and undressed Seal Skins taken and caught by the Crews of Vessels belonging to and fitted out either from Great Britain, Ireland, or the Islands of Guernsey, Jersey, or Man respectively, and whereof the Captain or Master and Three-fourths at the least of the Mariners are his Majesty's Subjects, or by Persons employed by the Masters or Owners of such Vessels, without paying any Custom, Subsidy, or other Duty, for the same, any Law or Usage to the contrary notwithstanding.

XI. Provided always, That nothing in this Act shall extend, or be construed to extend, to give Liberty of importing any such Seal Skins Duty-free, unless the Captain or Person having the Charge or Command of such Ship or Vessel importing the same shall make Oath before the Collector or other Principal Officer of the Customs at the Port of Importation (who is hereby authorized and required to administer such Oath), that all the Skins imported in such Ship or Vessel were really and bona fide the Skins of Seals taken and caught by the Crews thereof, or by Persons employed by the Master or Owner of such Ship or Vessel, or of some other Ship or Vessel qualified as aforesaid; and such Seal Skins shall be also duly entered at the Customhouse for the said Port, and landed in the Presence of the proper Officer or Officers of the Customs appointed for that Purpose; and on Failure of any of these Conditions, such Skins shall be liable to pay the same Duties as they would have been subject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithstanding.

XII. And whereas it has been a Practice of late Years for divers Persons to seduce the Fishermen, Sailors, Artificers, and others, employed in carrying on the Fishery, arriving at Newfoundland, on Board Fishing and other Vessels from Great Britain, and the British Dominions in Europe, to go from thence to the Continent of America, to the great Detriment of the Fishery and the Naval Force of this Kingdom: Now, in order to remedy the said Evil, and to secure the Return of the said Fishermen, Sailors, Artificers, and others, employed as aforesaid, to the British Dominions in Europe, be it further enacted by the Authority aforesaid, That from and after the first Day of January, one thousand seven hundred and seventy-six, it shall not be lawful for the Master, or Person having the Charge or Command of any Ship or Vessel trading to or from any Place within the Government of Newfoundland, to carry or convey, as Passengers, any such Fishermen, Sailors, Artificers, and others, employed as aforesaid, from thence to any Part of the Continent of America, without the Permission under the Hand and Seal of the Governor of the said Island of Newfoundland, under the Penalty of forfeiting two hundred Pounds for every such Offence.

XIII. And whereas in several Acts, passed in the eleventh and twelfth Years of William the Third, the eighth of George the First, and second and twelfth of George the Second, Provision has been made to prevent Seamen and Mariners in the Merchant Service being wilfully left beyond Sea, and to secure and provide for their Return home to such Part of his Majesty's Dominions whereto they belong: And whereas, for want of such Provisions being extended to Seamen and Fishermen going out as Passengers to Newfoundland, and hired and employed in the Fisheries carried on there, great Numbers of them remain in that Country at the End of every Fishing Season, who would otherwise return home, and some of them have frequently turned Robbers and Pirates; for Remedy of which Evil, be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall, from and after the first Day of January, one thousand seven hundred and seventy-six, employ, or cause to be employed, at Newfoundland, for the Purpose of carrying on the Fishery there, any Seaman or Fisherman going as Passengers, or any Seaman or Fisherman hired there, without first entering into an Agreement or Contract in Writing with every such Seaman or Fisherman, declaring what Wages such Seaman or Fisherman is to have, and the Time for which he shall serve, which shall be signed by both Parties; wherein it shall be stipulated (amongst other Things) that the Person so hiring or employing shall be at Liberty to reserve, retain, and deduct, and he is hereby authorized, required, and directed, to reserve, retain, and deduct, out of the Wages of every Person so hired or employed, a Sum of Money equal to the then current Price of a Man's Passage home, not exceeding forty Shillings for each Man, which Money such Hirer or Employer shall,

at the End of each Fishing Season, or at the Expiration of the covenanted Time of Service of such Seaman or Fisherman, pay, or cause to be paid, to the Master of a Passage or other Ship, who shall undertake or agree to carry such Seaman or Fisherman home to the Country whereto he belongs, and shall also convey such Seaman or Fisherman to and on Board such Passage or other Ship, taking the Master's Receipt for the Passage Money, which Receipt he shall immediately thereupon deliver to such Seaman or Fisherman.

XIV. And be it further enacted by the Authority aforesaid, That no Hirer or Employer of any such Seaman or Fisherman shall pay or advance, or cause to be paid or advanced, to such Seaman or Fisherman, in Money, Liquor, and Goods, or either of them, during the Time he shall be in his Service, more than one Half of the Wages which shall at any Time be due to him; but such Hirer or Employer shall, and is hereby required and directed, immediately at or upon the Expiration of every such Man's covenanted Time of Service, to pay either in Money, or in good Bills of Exchange, payable either in *Great Britain or Ireland*, or in the Country to which such Seaman or Fisherman belongs, the full Balance of his Wages, except the Money herein before directed to be retained for his Passage home; and it shall not be lawful for any such Hirer or Employer to turn away or discharge any such Seaman or Fisherman, except for wilful Neglect of Duty, or other sufficient Cause, before the Expiration of his covenanted Time of Service; and in case the Hirer or Employer of any such Seaman or Fisherman shall refuse or neglect to comply with any of the Terms herein before mentioned, or shall otherwise offend against this Act, every such Person so offending shall forfeit and pay, for every such Offence, besides the Balance that shall be due to such Seaman or Fisherman, the Money herein before directed to be retained for his Passage home, the Sum of ten Pounds, to the Use of such Person or Persons who shall inform or sue for the same.

XV. And be it further enacted by the Authority aforesaid, That in all Cases where Disputes shall arise concerning the Wages of any such Seaman or Fisherman, the Hirer or Employer shall be obliged to produce the Contract or Agreement in Writing, herein before directed to be entered into with every such Seaman or Fisherman.

XVI. And be it further enacted by the Authority aforesaid, That all the Fish and Oil which shall be taken and made by the Person or Persons who shall hire or employ such Seaman or Fisherman, shall be subject and liable, in the first place, to the Payment of the Wages of every such Seaman or Fisherman.

XVII. And be it further enacted by the Authority aforesaid, That in case any such Seaman or Fisherman shall at any Time wilfully absent himself from his Duty or Employ, without the Leave and Consent of his Hirer or Employer, or shall wilfully neglect or refuse to work according to the true Intent and Meaning of such Contract or Agreement, he shall, for every Day he shall so absent himself, or neglect or refuse to work as aforesaid, forfeit two Days Pay to such Hirer or Employer; and if any such Seaman or Fisherman shall wilfully absent himself from his said Duty or Employ for the Space of five Days, without such Leave as aforesaid, he shall be deemed a Deserter, and shall forfeit to such Hirer or Employer all such Wages as shall at the Time of such Desertion be due to him (except so much as is herein before directed to be reserved and retained for the Purpose of paying his Passage home); and it shall and may be lawful to and for the Governor of *Newfoundland*, or his Surrogates, or the Commissary of the Vice Admiralty Court for the Time being, or for any Justice of the Peace in *Newfoundland*, to issue his or their Warrant or Warrants to apprehend every such Deserter, and on the Oath of one or more credible Witness or Witnesses to commit him to Prison, there to remain until the next Court of Session which shall be holden in pursuance of the Commission of the said Governor for the Time being; and, if found guilty of the said Offence at such Session, it shall and may be lawful to and for the said Court of Session to order such Deserter to be publicly whipped as a Vagrant, and afterwards to be put on Board a Passage Ship, in order to his being conveyed back to the Country whereto he belongs.

XVIII. And be it further enacted by the Authority aforesaid, That all Disputes which shall arise concerning the Wages of every or any such Seaman or Fisherman, and all Offences which shall be committed by every Hirer or Employer of such Seaman or Fisherman, against this Act, shall and may be inquired into, heard, and determined, and the Penalties and Forfeitures thereby incurred shall and may be recovered in the Court of Session herein before mentioned, or in the Court of Vice Admiralty having Jurisdiction in the said Island of *Newfoundland*.

XIX. And whereas by an Act of Parliament, passed in the sixth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the Encouragement of the Trade to America*, it is, amongst other Things, enacted, That no Mariner or other Person who shall serve on Board, or be retained to serve on Board, any Privateer, or Trading Ship or Vessel, that shall be employed in any Part of *America*, nor any Mariner or other Person being on Shore in any Part thereof, shall be liable to be impressed or taken away by any Officer or Officers of or belonging to any of her Majesty's Ships of War, impowered by the Lord High Admiral, or any other Person whatsoever, unless such Mariner shall have before deserted from such Ship of War: And whereas the said Privilege or Exemption so given by the said Act to Mariners serving on Board Ships or Vessels employed in any of the Seas or Ports of the Continent of *America*, or residing on Shore there, is prejudicial to the Fisheries carried on by his Majesty's Subjects of *Great Britain and Ireland*, and others his Majesty's Dominions in *Europe*, and has proved an Encouragement to Mariners belonging thereto to desert in Time of War, or at the Appearance of a War, to the *British* Plantations on the said Continent of *America*; be it therefore enacted by the Authority aforesaid, That the said Clause, so far as it relates to the exempting of Mariners or other Persons serving, or retained to serve, in any Ship or Vessel in the Seas or Ports of the Continent of *America*, or other Persons on Shore there, from being impressed, be and the same is hereby repealed.

XX. And whereas the immoderate Use of Rum and other Spirits, imported into *Newfoundland* from his Majesty's Colonies and Plantations in *America*, has been found to be highly detrimental to the Fisheries

Employers to pay to Fishermen, &c only Half of their Wages, and the other Half in Bills, &c. at their Return home.

Penalty on Employers neglecting to comply.

If any Dispute arise, Employers obliged to produce the Contract.

All Fish and Oil liable to the Payment of Wages.

Penalty on Seamen or Fishermen absenting themselves from their Employers without Leave.

Disputes, and all Offences, to be determined by the Court of Session, &c. at *Newfoundland*.

Act 6 Annæ, respecting Sailors employed in Trading Ships, &c. in *America* not liable to be impressed, repealed.

Rum, &c. imported into Newfoundland from America, to pay a Duty of 1 s. per Gallon. How such Duty is to be collected, recovered, and applied.

'eries carried on there, and it is therefore proper to endeavour to diminish the Consumption thereof; be it enacted by the Authority aforesaid, That from and after the first Day of *January*, one thousand seven hundred and seventy-six, there shall be paid in to his Majesty, his Heirs and Successors, for every Gallon of Rum, or other Spirits, which shall be brought or imported into the Island of *Newfoundland* from any *British* Colony or Plantation on the Continent of *America*, the Sum of one Shilling Sterling Money of *Great Britain*; and the same shall be collected, recovered and paid, to the Amount of the Value of which such nominal Sum bears in *Great Britain*, and may be received and taken according to the Proportion and Value of five Shillings and Sixpence the Ounce in Silver; and the said Duty hereby granted shall be raised, levied, collected, paid, and recovered, in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, except in such Cases where any Alteration is made by this Act, as any other Duties payable to his Majesty upon Goods imported into any *British* Colony or Plantation in *America* are raised, levied, collected, paid, and recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties and Forfeitures relating thereto, were particularly repeated and again enacted in the Body of this present Act; and that all the Monies that shall arise by the said Duty (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same), shall be paid into the Receipt of his Majesty's Exchequer, and applied and appropriated to the same Uses and Purposes as the Duties arising by that Part of the Customs, commonly called *The Old Subsidy*, payable in *Great Britain*, are applied and appropriated.

After Dec. 25, 1775, Bounties granted by Act 11 Geo. III. extended to Ireland.

Officers to certify that Ships are properly fitted out, before they proceed on their Voyage.

Commissioners of the Revenues in Ireland, on receiving such Certificates, to grant Licence, &c.

What Number of Men, Lines, Boats, &c. Ships of certain Dimensions shall have on Board.

' XXI. And whereas the Bounties given by an Act of Parliament, made in the eleventh Year of the Reign of his present Majesty, intituled, *An Act for the better Support and Establishment of the Greenland and Whale Fisheries*, have been found of great Advantage to the Navigation, Trade, and Manufactures of this Kingdom; and it is just and expedient that the like Bounties which are granted by that Act to Ships fitted out from *Great Britain*, or any of his Majesty's Dominions in *America*, for those Fisheries, be it should in like Manner be granted to Ships fitted out for that Purpose from the Kingdom of *Ireland*; be it therefore enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *December*, one thousand seven hundred and seventy-five, the respective Bounties herein after mentioned shall be allowed for every Ship or Vessel *British* built, and owned by his Majesty's Subjects of *Ireland*, and whereof the Captain or Master and at least One-third of the Mariners are his Majesty's Subjects of *Great Britain* or *Ireland*, which shall proceed from any Port in the said Kingdom of *Ireland* within the Time limited by this Act on the Whale Fishery to the *Greenland* Seas, and *Davis's Streights*, and the adjacent Seas, under the several Rules and Restrictions herein after expressed; that is to say, Every such Ship or Vessel, before she proceeds on such Voyage, shall be visited by the proper Officer or Officers of the Customs belonging to such Port, who shall examine into such Ship or Vessel, and take an Account of the Tonnage thereof by Admeasurement, and shall certify such his or their Visitation, Examination, and Admeasurement, to the Commissioners of his Majesty's Revenue in *Ireland*; and if it appears by the Certificate of such Officer or Officers that she hath on Board such a Number of Men, Provisions, Boats, Fishing Lines, and Instruments to be used in such Fishery as herein after are mentioned; that she is strongly built, and otherwise a proper Ship for such Voyage and Fishery, and hath on Board among her Crew a sufficient Number of Harpooners, Steersmen, and Line-managers, who have been before employed in such Voyages (the Names of such Persons to be contained in such Certificate); and if it further appears by the Oath of one or more Owner or Owners, and of the Master or Chief Officer of such Ship, written at the Foot of such Certificate, and made before the Collector or Comptroller of such Port (who are hereby empowered and required to administer the same), that it is really and truly their firm Purpose and determined Resolution, that such Ship shall, as soon as Licence shall be granted, forthwith proceed, so manned, furnished, and accoutred, on a Voyage to the *Greenland* Seas, or *Davis's Streights*, or the Seas adjacent, and there in the then approaching Season to use the utmost Endeavours of themselves and their Ship's Company to take Whales, or other Creatures living in the Sea, and on no other Design or View of Profit in such Voyage, and to import the Whale Fins, Oil, and Blubber thereof, into the Kingdom of *Great Britain* (naming the Port to which it is their Intention to return); and if the Master, after such Certificate had, and Oath made, do also become bound, with two sufficient Securities, unto his Majesty, his Heirs and Successors, in the Penalty of such Sum as shall be equal to treble the Bounty intended by this Act (which Bond the said Collector, with the Approbation of the Comptroller, is hereby required to take, and is to be in Force for the Term of three Years against the Master and Sureties for the faithful Dealings of the said Master and Ship's Company in regard to the said Ship and Voyage); then, and in all such Cases, it shall and may be lawful for any three or more of the said Commissioners of the Revenues in *Ireland* for the Time being, on receiving such Certificates and Oaths made, and it being certified to them by the Collector and Comptroller of such Port, that sufficient Security hath been given as aforesaid, to give and grant, and they are hereby required to give and grant to the Master and Owners of such Ship, full Licence and Authority to proceed on such Voyage as aforesaid.

' XXII. And to prevent any Disputes that may arise whether a Ship be properly qualified and duly fitted out for the Whale Fishery, according to the true Intent and Meaning of this Act, and intituled to a Certificate thereof from the Custom-house Officers, it is hereby enacted, That every Ship of the Burthen of two hundred Tons, designed for this Fishery, shall and is hereby obliged to have on Board forty Fishing Lines of one hundred and twenty Fathom each, forty Harpoon Irons, four Boats with seven Men, including a Harpooner, a Steersman, and a Line-manager, to each Boat, making in the Whole twenty-eight Men besides the Master and Surgeon, with six Months Provision at the least for such Number of Men; and every Ship of larger Burthen an Increase of six Men, one Boat, ten such Lines and ten Harpoon Irons more, for every fifty Tons above the said two hundred Tons, together with Provisions in proportion;

proportion; and every Ship which shall be so employed in the said Fishery shall have on Board an Apprentice, indentured for the Space of three Years at the least, for every fifty Tons Burthen, who shall be accounted as one of the Number of Men required to be on Board such Ship as aforesaid.

XXIII. And be it further enacted by the Authority aforesaid, That on the Return of such Ship to the Port to which the Master and Mate declared on Oath their Intention to return, the proper Officers of the Customs at such Port shall immediately repair on Board, and view the Condition of such Ship and her Lading, and certify the same, together with their Observations thereon, as also of the real Tonnage of the said Ship; and the said Officers are also to take an Account or Schedule of the Names of the Master, Mate, and other Persons on Board, distinguishing therein the Harpooners and Persons more immediately employed in the said Fishery, and to certify the same; and the Master and Mate shall make Oath before the Collector and Comptroller (who are hereby impowered and required to administer the same), on the Back of, or annexed to the Licence granted as aforesaid, which they are hereby then required to deliver up, that they did in pursuance thereof, mentioning the Day of their Departure, proceed on a Voyage directly to the Places aforesaid, and have not since been on any other Voyage, or pursued any other Design or View of Profit; and that they did there (mentioning the Time of their Stay in those Seas) use the utmost Endeavour of themselves and their Ship's Company to take Whales, and other Creatures living in those Seas; and that all the Whale Fins, Oil, and Blubber, imported (if any) in such Ship, was really and bona fide caught and taken in the said Seas by the Crew of such Ship only, or with the Assistance of the Crew of some other Ship duly licensed for that Voyage, pursuant to the Directions of this Act; all which Schedule, Certificate, Licence, and Oath, shall be transmitted by the Collector and Comptroller of such Port to the respective Commissioners of the Customs for that Part of *Great Britain* where such Ships shall arrive; and such Commissioners being fully satisfied of the faithful Dealings of the Master and other Persons employed in such Ships with respect to such Voyage and Fishery, shall, on Demand, cause Payment to be made to the Master or Owners, or to his or their Assigns, by the Receiver General of the Customs for that Part of *Great Britain* where such Ship shall arrive, the Bounty or Premium following, according to the Admeasurement of such Ship, duly certified as aforesaid; (that is to say,) For every such Ship as shall proceed on the said Fishery, from the twenty-fifth Day of *December* one thousand seven hundred and seventy-five, to the twenty-fifth Day of *December* one thousand seven hundred and seventy-six, the Sum of forty Shillings *per Ton*; and for every such Ship as shall proceed on the said Fishery, from the twenty-fifth Day of *December* one thousand seven hundred and seventy-six, to the twenty-fifth Day of *December* one thousand seven hundred and eighty-one, the Sum of thirty Shillings *per Ton*; and for every such Ship as shall proceed on the said Fishery, from the twenty-fifth Day of *December* one thousand seven hundred and eighty-one, to the twenty-fifth Day of *December* one thousand seven hundred and eighty-six, the Sum of twenty Shillings *per Ton*.

XXIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Person or Persons shall be allowed or intitled to receive the Bounty herein before granted, for any Ship which shall proceed on the said Whale Fishery after the twenty-fifth Day of *December* one thousand seven hundred and seventy-five, unless such Ship shall sail from the Port where she shall be surveyed, and cleared directly on her intended Fishery, on or before the tenth Day of *April* in each and every Year, and shall continue with her Crew in the *Greenland Seas*, or *Davis's Streights*, or the adjacent Seas, diligently endeavouring to catch Whales, or other Creatures living in those Seas, and shall not depart from thence before the tenth Day of *August* then following, unless such Ship shall be laden with the Blubber and Fins of one Whale, caught by the Crew thereof, or with the Assistance of the Crew of some other licensed Ship, before that Time, or shall be forced by some unavoidable Accident or Necessity to depart sooner from those Seas; which Accident or Necessity shall be verified on the Oaths of the Master and Mate belonging to such Ship, upon her Return from the said Fishery, before the Collector and Comptroller of the Customs at the Port where she shall arrive, who shall transmit the same, together with the Schedule, Licence, and other Documents by this Act required, to the respective Commissioners of the Customs for that Part of *Great Britain* where she shall arrive.

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the Customs in *England* and *Scotland* respectively to order the respective Receivers General of the Customs, in case the Monies remaining in their Hands arising from the Old Subsidy shall not be sufficient at any Time or Times, during the Continuance of this Act, to satisfy the said Bounty of forty Shillings *per Ton*, and thirty Shillings *per Ton*, and twenty Shillings *per Ton*, during the several Periods herein before limited, payable on all Ships employed in the said Fishery, according to the Directions of this present Act, to pay the same out of any Money that shall be in their Hands arising from any of the Duties and Revenues under their Management respectively.

XXVI. And be it further enacted by the Authority aforesaid, That the Commissioners of his Majesty's Customs in *England* and *Scotland* respectively shall, at the Beginning of every Session of Parliament, lay before both Houses of Parliament an Account in Writing, under their Hands, of what Number of Ships employed in the Whale Fishery to *Davis's Streights* and the *Greenland Seas*, in pursuance of this Act, with their respective Names and Burthens, have returned to *Great Britain*, and at what Port in *Great Britain* they were discharged, and also what Quantity of Oil, Blubber, or Whale Fins, each Ship shall have imported, and from what Port in *Ireland* or the *Isle of Man* they were fitted out.

XXVII. And whereas it hath been found by Experience, that Ships under the Burthen of two hundred Tons are fit for the said Fishery; be it therefore enacted and declared by the Authority aforesaid, That every Owner or Owners of any Ship or Ships under the Burthen of two hundred Tons, which shall be employed in the said Fishery, who have conformed themselves in all Respects to the Rules and Directions herein before prescribed to the Owners of Ships of two hundred Tons, shall be intitled to the said Bounty, as herein before limited, according to the Admeasurement of such Ship or Ships respectively.

On Return of Ship, proper Officers to go on Board and inspect the Cargo, &c. and take an Account of the Names of the Masters, Harpooners, &c.

Commissioners being satisfied of the faithful Dealings of the Master, &c. to pay the Bounties as directed, according to the Admeasurement of the Ships.

Certain Provisions respecting Ships before any Person be intitled to the Bounty.

If Monies arising from the Old Subsidy be not sufficient to pay Bounties, any other Revenue Money may be taken.

Commissioners, at the Beginning of every Session of Parliament, to lay before them an Account of the Ships employed in the Whale Fishery, &c.

Ships under 200 Tons intitled to a Bounty proportionable to their Admeasurement.

Ships above 400 Tons not intitled to a larger Bounty than a 400 Ton Ship; and Owners not obliged to equip, &c. more than a Ship of 400 Tons.

No Apprentice, when indentured, to exceed 18, nor be under 14 Years; and no Bounty to be paid unless Ships employed belong to some of his Majesty's Subjects where fitted out.

Bounties may be insured.

Persons giving false Certificates, &c. to forfeit 500l.

Forfeitures how to be applied.

Forfeitures incurred in Newfoundland to be sued for in the Vice Admiralty Court in said Island.

Persons aggrieved may appeal to the proper Admiralty Court in Britain.

Duties on Goods exported or imported, to be under the Direction of the Commissioners of Customs, &c.

Deputations granted by the Commissioners for North America before Jan. 1, 1776, to any Officers for Newfoundland, to be in Force.

Persons sued for Thing done in Execution of

XXVIII. Provided always, and be it enacted by the Authority aforesaid, That no Ship to be employed in the said Fishery, although she be above the Burthen of four hundred Tons, shall be intitled to a larger Bounty than a Ship of four hundred Tons would be intitled to.

XXIX. Provided also, That nothing in this present Act contained shall extend, or be construed to extend, to oblige the Owner or Owners of any Ship above the Burthen of four hundred Tons, in order to intitle him or them to the said Bounty, to fit out, equip, and man any such Ship, otherwise than as a Ship of the Burthen of four hundred Tons only is, by this present Act, required to be fitted out, equipped, and manned.

XXX. Provided also, and it is hereby further enacted by the Authority aforesaid, That every Apprentice indentured after the twenty-fifth Day of *December* one thousand seven hundred and seventy-five, to serve on Board any Ship or Vessel proceeding on the Fisheries, in pursuance of this or any other Act of Parliament now in Force, granting any Bounty or Bounties thereon, shall not exceed the Age of eighteen Years, nor be under fourteen, at the Time he shall be so indentured; and that no Bounty shall be allowed or paid for any Ship or Vessel so employed, either by virtue of this or any former Act of Parliament, unless the whole and entire Property of such Ship or Vessel shall belong to some of his Majesty's Subjects residing in that Part of his Majesty's Dominions from whence such Ship or Vessel shall be respectively fitted and cleared out, any Law, Custom, or Usage, to the contrary notwithstanding.

XXXI. And, to prevent any Application to Parliament for the Bounty on any Ship employed in either of the Fisheries before mentioned, which may happen to be lost at Sea before their Return to *Great Britain*, be it declared and enacted by the Authority aforesaid, That it shall and may be lawful for the Owner or Owners of any Ship, employed, or designed to be employed, in the said Fisheries, or either of them, to insure the Bounty which such Owner or Owners would have been intitled to upon the Return of such Ship to *Great Britain*, on the Performance of all other Matters directed and appointed by this present Act to be performed for obtaining the said Bounties.

XXXII. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall give or grant any false Certificate for any of the Purposes required or directed by this Act, such Person or Persons shall forfeit the Sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his Heirs or Successors, in any Office whatsoever; and if any Person or Persons shall counterfeit, erase, alter, or falsify, any Certificate required or directed by this Act, or shall knowingly or willingly make use of any false Certificate, or of any Certificate so counterfeited, erased, altered, or falsified, such Person or Persons shall, for every such Offence, forfeit the Sum of five hundred Pounds; and every such Certificate shall be invalid, and of no Effect.

XXXIII. And it is hereby further enacted by the Authority aforesaid, That one Moiety of the Penalties and Forfeitures inflicted by this Act (except in such Cases where other Directions are given by this Act) shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Officer or Officers of the Customs as shall sue or prosecute for the same in any of his Majesty's Courts of Record at *Westminster* or *Dublin*, or in the Court of Exchequer in *Scotland*, or in any Court of Admiralty having Jurisdiction in his Majesty's Colonies or Islands respectively where the Offence shall be committed.

XXXIV. And be it further enacted by the Authority aforesaid, That from and after the first Day of *January* one thousand seven hundred and seventy-six, the Penalties and Forfeitures inflicted by any Act of Parliament relating to the Trade or Revenues of the *British* Colonies or Plantations in *America*, which shall be incurred in the said Island of *Newfoundland*, shall be sued for, prosecuted, and recovered, in the Court of Vice Admiralty having Jurisdiction in the said Island, and in no other; and if any Person or Persons shall think him or themselves aggrieved by any Judgment, Sentence, or Determination of any Court of Vice Admiralty, or other Court having Jurisdiction in *Newfoundland*, upon any Suit or Prosecution commenced there for any Penalty or Forfeiture inflicted by any Act of Parliament relating to the Trade or Revenues of the *British* Colonies or Plantations in *America*, it shall and may be lawful for such Party to appeal from such Judgment, Sentence, or Determination, in the first Instance, to the proper Court of Admiralty in *Great Britain*, or to his Majesty in Council; and that no Appeal shall in such Case lie or be brought in any other Court or Jurisdiction whatsoever, any Law, Custom, or Usage, to the contrary notwithstanding.

XXXV. And it is hereby further enacted by the Authority aforesaid, That from and after the first Day of *January* one thousand seven hundred and seventy-six, the Customs and other Duties which now are or hereafter may be due and payable upon any Goods or Merchandises brought or imported into, or exported or carried from, the Island of *Newfoundland*, by virtue of this or any Act or Acts of Parliament, and the Officers of his Majesty's Customs appointed for executing and carrying into Execution the several Laws relating to the Trade and Revenue there, shall be under the Management and Direction of the Commissioners of his Majesty's Customs in *England* for the Time being, under the Authority and Direction of the High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, any Law, Patent, Custom, or Usage, to the contrary notwithstanding.

XXXVI. Provided always, and it is hereby further enacted by the Authority aforesaid, That all Deputations and other Authorities granted by the Commissioners of the Customs for *North America*, before the said first Day of *January* one thousand seven hundred and seventy-six, to any Officer or Officers acting in and for the said Island of *Newfoundland*, shall continue in Force, as fully to all Intents and Purposes as if this Act had not been made, until the Deputations or other Authorities so granted to such Officer or Officers respectively shall be revoked, annulled, or made void by the High Treasurer of *Great Britain*, or Commissioners of the Treasury for the Time being.

XXXVII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act of Parliament, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and

the

the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of and by the Authority of this Act: And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

this Act, may
plead the Gene-
ral Issue,

and recover tre-
ble Costs.

C A P. XXXII.

An Act to repeal an Act, passed in the thirty-first Year of the Reign of her Majesty Queen Elizabeth (intituled, *An Act against the erecting and maintaining of Cottages*).

WHEREAS an Act was passed in the thirty-first Year of the Reign of her Majesty Queen Elizabeth, intituled, *An Act against the erecting and maintaining of Cottages*: And whereas the said Act has laid the industrious Poor under great Difficulties to procure Habitations, tends very much to lessen Population, and in divers other Respects has been found inconvenient to the labouring Part of the Nation in general; 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 shall be and the same is hereby repealed.

Preamble,
Act 31 Eliz. against erecting of Cottages.

is by this Act repealed.

C A P. XXXIII.

An Act for settling *Buckingham House*, with the Appurtenances, upon the Queen, in case she shall survive his Majesty, in lieu of his Majesty's Palace of *Somerset House*; for enabling the Lords Commissioners of his Majesty's Treasury to sell and dispose of *Ely House* in *Holborn*, and for applying the Money to arise by Sale thereof, together with other Monies, in erecting and establishing Publick Offices in *Somerset House*, and for embanking certain Parts of the River *Tbames* lying within the Bounds of the Manor of the *Savoy*, and for other Purposes therein mentioned.

WHEREAS by virtue of an Act, made in the second Year of the Reign of his present Majesty, intituled, *An Act for enabling his Majesty to make Provision for supporting the Royal Dignity of the Queen, in case she shall survive his Majesty*; and by certain Letters Patent or Indenture under the Great Seal of Great Britain, granted and executed in pursuance thereof, bearing Date the second Day of June, in the second Year of his Majesty's Reign, all that his Majesty's Palace or Capital Messuage, called *Denmark House*, otherwise *Somerset House*, otherwise *Strand House*, with all its Rights, Members, and Appurtenances whatsoever, were, among other Things, for the better Accommodation of her Majesty, in case she should survive his Majesty, limited to the Use of his Majesty during his Life, and after the Decease of his Majesty, in case her Majesty should him survive, then to the Use of certain Trustees therein named, and their Heirs, during the Life of her Majesty, upon Trust, to permit her Majesty to hold and enjoy the same during her Majesty's Life, and from and after the Decease of her Majesty, to the Use of the same Trustees for and during the Term of one Year from and immediately after her Majesty's Decease, upon Trust, for the sole Benefit and behoof of her Majesty's Executors, Administrators, and Assigns, during the same Term, with Remainder to his Majesty, his Heirs and Successors: And whereas his Majesty, since his Accession to the Imperial Crown of these Realms, hath purchased, with his own proper Money, a Capital Messuage, heretofore commonly called or known by the Name of *Buckingham House*, and also certain Lands and Tenements thereunto belonging or adjoining, and hath also added to the same Part of the Ground commonly called or known by the Name of *The Green Park*, which is now used and enjoyed as Part of the Garden of the said Capital Messuage called *Buckingham House*: And whereas the said House heretofore called *Buckingham House*, with its Appurtenances, in which his Majesty now resides, would, in respect of its Situation, as well as in every other Respect, afford a much more suitable and commodious Place of Residence for the Queen, in case she shall survive his Majesty, than *Somerset House*, and his Majesty is most graciously pleased and desirous that the said Capital Messuage, called *Buckingham House*, and other the Premises which are now laid to and enjoyed therewith, shall be vested in or settled in Trust for her Majesty, her Executors and Administrators, for the like Estates and Interests which her Majesty, her Executors and Administrators, can or may have or claim in and to *Somerset House* aforesaid, by virtue of the said recited Act, and Letters Patent or Indenture, or either of them, and her Majesty is also willing and desirous to accept the same in lieu thereof: And whereas the said Palace of *Somerset House* may, with great publick Advantage, be converted into Houses and Apartments for holding and transacting the Business of the several Publick Offices herein after mentioned, for which Purpose his Majesty is graciously pleased to consent that the same shall be appropriated accordingly; be it therefore enacted, ordained, and established, 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 Letters Patent, and all and every Indenture and Indentures under the Great Seal of Great Britain made in pursuance thereof, and all Gifts, Grants, Settlements, and Assurances, whereby the said Palace or Capital Messuage, commonly called *Somerset House*, and all or any of its Rights, Members, and Appurtenances,

Preamble,
Act 2 Geo. III. recited.

All Letters Patent, &c. where-
by Somerset
House is granted
to her Majesty,
by this Act re-
pealed.

Appurtenances, are given, granted, or vested for or in Trust for her Majesty, shall be and the same are hereby respectively repealed, annulled, and made void, with respect to the said Premises only, and in no other respect whatsoever.

Buckingham House, with certain Lands adjacent, vested in Trustees, to the Use of his Majesty, &c.

II. And be it further enacted by the Authority aforesaid, That all that his Majesty's House, commonly called or known by the Name of *Buckingham House*, late in the Tenure or Occupation of Sir *Charles Sheffield*, Baronet, his Assigns or Under-tenants, with all its Rights, Members, and Appurtenances, and all and singular Messuages, Tenements, Houses, Outhouses, Coach-houses, Stables, Edifices, Buildings, Courts, Yards, Gardens, and Appurtenances whatsoever, to the same and other the Premises, or any of them, belonging or appertaining, or accepted, reputed, taken, used, or enjoyed, as Part, Parcel, or Member hereof, and all that Piece or Parcel of Pasture Ground or Park, formerly called or known by the Name of *Goring Great Garden*, and afterwards called or known by the Name of *Buckingham Park*, or by whatsoever Name or Names the same hath lately or is now called or known, and also all those Pieces or Parcels of Ground abutting or adjoining to the said Premises, or any of them, late in the several Tenures or Occupations of *Alexander Gardner*, *Helen Rumbold*, *William Storach*, *George Elkins*, or any of them, all which said Premises, as well Freehold as Leasehold, were heretofore situate, lying and being in the Parish of *Saint Martin in the Fields*, but now are situate, lying and being in the Parish of *Saint George Hanover Square*, in the County of *Middlesex*, and also all such other Messuages, Closes, Wood-grounds, Walks, Lands, Tenements, and Hereditaments whatsoever, which now are used with the said Premises, or any Part of them, together with all Rights, Privileges, Exemptions, Ways, Paths, Passages, Easements, and free Liberty of Ingress and Egress, held, used, and enjoyed therewith by his Majesty, shall be, and the same are hereby vested in the Right Honourable *Henry Earl of Suffolk and Berkshire*, the Right Honourable *William Henry Earl of Rochford*, the Right Honourable *William Earl of Dartmouth*, his Majesty's three Principal Secretaries of State, and the Right Honourable *Frederick North* commonly called *Lord North*, First Lord Commissioner of his Majesty's Treasury, and Chancellor and Under-treasurer of his Majesty's Exchequer, and their Heirs, to the Use of his Majesty during his Life, and after the Decease of his Majesty, in case her Majesty shall him survive, then to the Use of her Majesty and her Assigns, during the Term of her Majesty's natural Life, and from and after the Decease of her Majesty, to the Use, Intent, and Purpose, that the Executors, Administrators, and Assigns of her Majesty shall and may have, hold, and enjoy the said Palace, or Capital Messuage called *Buckingham House*, with the Appurtenances, for and during the Term of one whole Year, to commence and take Effect from and immediately after the Decease of her Majesty, and from and immediately after the End and Determination of the said Term of one Year, then to the Use of his Majesty, his Heirs and Successors, notwithstanding any Restraint or other Matter or Thing contained in an Act made in the first Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better Support of her Majesty's Household, and the Honour and Dignity of the Crown*; and the said Capital Messuage, heretofore called *Buckingham House*, shall be accepted in Law, deemed, reputed, and called, *The Queen's Royal Palace*.

and the said House to be called The Queen's Royal Palace.

III. And whereas his Majesty hath laid out and expended a considerable Sum of Money in the Purchase and Improvement of the said Capital Messuage, heretofore called *Buckingham House*, and other the Premises thereunto belonging, in consideration whereof, as also for and in consideration of his Majesty's consenting to convert and consign the said Palace or Capital Messuage, called *Somerset House*, for the Uses herein-after mentioned, be it further enacted by the Authority aforesaid, That out of all or any of the Revenues arisen or to arise within the Receipt and Government of all or any of the several Officers of the Revenue, whose Offices are erected and established, or are to be erected and established by virtue of this Act, there shall and may be paid, issued, and applied, any Sum or Sums of Money, not exceeding the Sum of one hundred thousand Pounds, at such Time and Times, and in such Proportions respectively, as the Lords Commissioners of his Majesty's Treasury now or for the Time being, or any three of them, or his Majesty's Lord High Treasurer for the Time being, shall direct, limit, or appoint, who are hereby authorized to issue their Warrants for that Purpose to such Person and Persons as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual in that Behalf, authorize and empower to receive the same, to and for the Use of his Majesty.

100,000. granted to his Majesty for the Considerations expressed in this Act.

IV. And whereas it may be found necessary to the laying out the several Offices to be established in his Majesty's said Palace and Capital Messuage called *Somerset House*, and rendering the same convenient and complete, that several Pieces of Ground in and adjacent to the Scite of the said Palace or Capital Messuage should be set out and allotted for those Purposes, and that likewise some Buildings, should be pulled down and removed, and other Buildings added thereto; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lords Commissioners of his Majesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, on Behalf of his Majesty, his Heirs and Successors, from Time to Time and at all Times hereafter, to treat, contract, and agree, for the absolute Purchase, Sale, Release, or Surrender, of any Estate or Interest in any Messuages, Lands, Tenements, or Hereditaments, for the Purposes aforesaid, with the Owner or Owners, Lessee or Lessees, of such respective Estate and Estates, for such Sum or Sums of Money, or upon such other Terms or Conditions as the said Commissioners, or any three of them, or the Lord High Treasurer for the Time being shall think fitting; and that upon the executing such Contracts or Agreements, by or on the Behalf of such Owner or Owners as aforesaid, or upon executing such Conveyances, Assignments, Releases, or Surrenders, as on such Contract or Contracts shall be agreed on for that Purpose, it shall and may be lawful to and for the said Commissioners of the Treasury, or any three of them, or to and for the Lord High Treasurer for the Time being, and he and they are and is hereby empowered to order and direct the Payment of such Sum and Sums of Money, from Time to Time, as shall be so contracted and agreed on for such Purchase or Purchases, to such Person or Persons as, according to the Terms of such Contracts or Agreements shall be intitled to have and receive the same.

Lords Commissioners, &c. empowered to treat or contract for the Purchase of any Messuages, &c.

and to pay the Purchase money to the Owners, &c.

V. And

V. And be it further enacted by the Authority aforesaid, That from and immediately after such Payment of the Purchase-money to the Person or Persons so intitled to receive the same, as aforesaid, or if no Agreement shall be made, on making such Satisfaction as herein-after is mentioned, the several Messuages, Lands, Tenements, and Hereditaments, in such Contracts, Agreements, and Conveyances, mentioned and comprised, or intended so to be, together with all Rights, Members, and Appurtenances whatsoever to the same, or any Part thereof belonging, and usually held and enjoyed therewith, shall be, and the same are hereby declared to be, from Time to Time unalienably vested in his Majesty, his Heirs and Successors, for the Purposes of this Act.

After Payment of the Purchase-money, &c. the several Messuages, &c. vest. in his Majesty.

VI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Guardians and Committees for Lunatics and Idiots, Executors, Administrators, and Guardians whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes-covert, or other Persons whatsoever, and to and for all Femmes-covert who are or shall be seized in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seized or possessed of or interested in any Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for any of the Purposes of this Act, to sell and convey all or any such Lands, Tenements, Hereditaments, Estates, and Interests, or any Part thereof, to the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Bodies Politick, Corporate or Collegiate, Corporations Aggregate, Trustees, and other Persons as aforesaid, shall be good and valid in Law to all Intents and Purposes, not only to convey the Estate and Interest of the Bodies Politick, Corporate, or Collegiate, Corporations Aggregate, Trustees, and other Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes-covert, or other Persons whomsoever, and all claiming or to claim, by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in any-wise notwithstanding: And all such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate, Trustees, and other Persons so conveying as aforesaid, shall be and are hereby indemnified for what they shall do by virtue and in pursuance of this Act, notwithstanding any Omission or Mistake in Matter of Form whatsoever: And if it shall happen that any Person or Persons, Bodies Politick, Corporate or Collegiate, or other Person or Persons, seized or possessed or interested in any such Lands, Tenements, or Hereditaments, as aforesaid, shall refuse to treat or agree, or will not agree for the Sale and Conveyance of their respective Estates, Terms, or Interests therein, or by reason of Absence or Disability cannot or do not agree, or there shall be no Person or Persons in being who, as Trustee or otherwise under the Powers of this Act, can agree with the Commissioners of the Treasury, or the Lord High Treasurer for the Time being, or with any Person or Persons by him or them in this Behalf authorised and appointed, or shall not produce or evince a clear Title to the Premises they are in Possession of, or to the Term or Interest they claim, to the Satisfaction of the Commissioners of the Treasury, or Lord High Treasurer for the Time being, or of the Person or Persons by them so authorised or appointed; then, and in every such Case, in order to settle and ascertain the Value of such Estate or Estates, and of any present Interests or Interest, Term or Terms of Years, or other Right or Property of such Person or Persons, it shall and may be lawful for any one or more Person or Persons, to be appointed for that Purpose by his Majesty, his Heirs or Successors, under his or their Sign Manual, and such Person or Persons is or are hereby authorised, thirty Days at the least before any General Quarter Sessions of the Peace to be held for the City and Liberty of *Westminster*, to give, or cause to be given, to such respective Owner or Owners, or to be left at their last Places of Abode respectively, a Notice in Writing, describing the said Premises, and purporting that the Price or Consideration of the said Premises will be adjusted and settled by a Jury at the said Sessions; and the Justices, at their said Sessions, upon Proof to them made of such Notice or Notices given, shall, and they are hereby authorised and required, out of the Persons summoned, impannelled, and returned to serve on the Jury at the said Sessions to cause a Jury of twelve Persons to be drawn by some Persons to be by the same Court appointed, in such Manner as Juries for the Trial of Issues joined in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his late Majesty, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; and all Parties concerned shall have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Justices are hereby authorised and empowered, by Precept or Precepts, from Time to Time as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought proper or necessary to be examined as Witnesses before them on their Oath or Oaths concerning the Premises; and the said Justices, if they think fit, shall and may likewise authorise the said Jury to view the Place or Places in question in such Manner as they shall direct; and the said Justices shall have Power to command such Jury, Witnesses, and Party, to attend until all such Affairs for which such Jury was impannelled shall be concluded; and the said Jury, upon their Oath (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer), shall inquire of the Value of such Messuages, Lands, Tenements, and Hereditaments, and of the Value of the respective Estate and Interest of every Person seized or possessed thereof, or interested therein, or of or in any Part thereof, and shall assess and award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such their Estates, Terms, and Interests; and the said Justices shall give Judgment for such Sum and Sums of Money so to be assessed, which said Verdict or Verdicts, and the said Judgment thereupon, shall be binding and conclusive to all Intents and Purposes against all and every Person or Persons whomsoever.

Bodies Politick, &c. empowered to treat with the Commissioners.

If any Person, Bodies Politick, &c. refuse to treat.

Notice to be given, that the Price of the Premises will be settled by a Jury.

Justices, on Proof of Notice given, to summon a Jury.

Jurymen may be challenged, but not the Array. Witnesses may be examined.

Jury, on their Oaths, to assess the Value of every Person's Estate, and Justices to give Judgment thereon, which shall be final.

VII. And

After Payment of Money so awarded, every Person to make legal Conveyances to the Commissioners of the Treasury, &c.

In case Persons cannot evince clear Titles to the Premises, &c. the Money assessed to be paid into the Bank.

After such Verdict, and Payment into the Bank, Lands, &c. vested in the Commissioners.

If Feme-covert be seized in Fee-simple, the Purchase-money to be reinvested in the Purchase of other Lands.

Purchase-money for Lands, &c. under Limitation to be paid into the Bank,

VII. And be it further enacted, That upon Payment of such Sum and Sums of Money so to be awarded or adjudged, the Person or Persons to whom the same shall be so awarded, for the Purchase of the said Lands, Tenements, or Hereditaments, or for the Purchase of any Estate, Term, or Interest therein, shall make and execute, or cause and procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances, in the Law, to the Commissioners of his Majesty's Treasury, or Lord High Treasurer for the Time being, or to such Person or Persons as he or they shall order, direct, or appoint, of the said Lands, Tenements, or Hereditaments, or of such Estate, Term, or Interest, for which such Sum or Sums of Money shall be so awarded, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things necessary and requisite to make a good, clear, and perfect Title, to the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, or the Person or Persons so to be appointed by him or them, as aforesaid; and such Conveyances, Assignments, and Assurances, shall contain all reasonable and usual Covenants, as on the Part of the Commissioners of his Majesty's Treasury, or Lord High Treasurer for the Time being, or of the Person or Persons to be appointed by him or them, as aforesaid, shall be reasonably required: And in case such Person or Persons to whom such Sum or Sums shall be so awarded as aforesaid, shall not be able to evince their Title to the Premises, or shall refuse so to do, being thereto required, or such Sum or Sums so assessed or awarded as aforesaid, being tendered to be paid to him, her, or them, to whom the same shall have been awarded, shall be refused; or in case such Person or Persons, to whom such Sum and Sums of Money shall be so awarded, cannot be found within the Liberty of *Westminster* aforesaid; or in case, by reason of Disputes depending in any Court of Law or Equity, or for any other Cause, it shall not appear what Person or Persons is or are intitled to the Premises in question; then, and in every such Case, it shall and may be lawful to and for the Justices, at any General Quarter Sessions to be held for the City and Liberty of *Westminster* aforesaid, to order the said Sum and Sums to be assessed and awarded as aforesaid, as and for the Value of and Purchase-money for the said Lands, Tenements, and Hereditaments, to 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, to the Credit of the Parties interested in such Lands, Tenements, or Hereditaments, or of so many of them as shall be then in *esse*, 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 by Motion or Petition, shall be and is hereby impowered, in a summary way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the Distribution of, according to the respective Estates or Estate, Title or Interest, of the Person or Persons making Claim thereunto, of, in, or to such Lands, Tenements, or Hereditaments, to be made appear to and to be declared by the said Court, and according to the Value thereof assessed as aforesaid, and to make such other Order in the said Premises as to the said Court shall seem just and reasonable.

VIII. And be it further enacted, That immediately from and after such Verdict, Judgment, and Order of the said Court of Sessions, and Payment into the Bank, as aforesaid, all the Estate, Right, Title, Term, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such Money shall be paid in, to, and out of the said Lands, Tenements, Hereditaments, and Premises, shall be transferred to and vested in the Lords Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, for the Purposes herein-after mentioned, and he and they shall be and be deemed in Law to be thenceforth in the actual Seisin and Possession thereof to all Intents and Purposes, as fully and effectually as if every Person, having any Estate in the Premises, had actually conveyed the same to them by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, Assignment, or any other legal Conveyance whatsoever; and such Payment shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder, as effectually as a Fine or Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law; and the Lords Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, or other Person or Persons to whom the said Premises shall by the Commissioners of the Treasury, or Lord High Treasurer for the Time being, be ordered or appointed to be conveyed as aforesaid, shall be quieted in the Seisin and Possession of the Lands, Tenements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity for the said Money any otherwise than according to the Tenor, Purport, and true Meaning of this Act.

IX. And be it further enacted, That in case any Feme-covert is or shall be seized in Fee-simple, or in Tail General or Special, or for Life, or for any lesser Interest of any such Lands, Tenements, and Hereditaments, so to be purchased as aforesaid, to her separate Use, free from the Controul or intermeddling of her Husband, the Purchase-money arising from the Sale of such Estate, Term, or Interest, of such Feme-covert, on the Conveyance of such Estate, Term, or Interest, to the Commissioners of the Treasury, or Lord High Treasurer for the Time being, or other Person or Persons to be appointed as aforesaid, shall be paid to such Person or Persons as she shall by Writing under her Hand nominate to receive the same, in Trust, to be reinvested in Lands, Tenements, or Hereditaments, to be conveyed and settled for such Uses, Estate, and Interest, as the said Feme-covert had in the Premises so purchased as aforesaid.

X. And be it further enacted, That in case any Messuages, Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes contained in this Act, shall be so settled, or stand limited by way of legal Limitation, as that the Person or Persons in Possession thereof shall not be intitled to an Estate of Inheritance therein, although the said Messuages, Lands, Tenements, and Hereditaments, be not vested in any Trustee or Trustees, then the Purchase-money arising from the Sale of such Estate shall be paid into the Bank, in the Name and with the Privy of the Accountant General of the said Court

of

of Chancery, upon Trust, to be reinvested, by and with the Approbation of the said Court of Chancery, to be signified by an Order or Orders, upon Motion in open Court, or Petition after such Reference (if any) as to the same Court shall seem meet, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Messuages, Lands, Tenements, and Hereditaments, which shall be purchased by the Commissioners of the Treasury, or Lord High Treasurer for the Time being, or other Person or Persons as aforesaid, were respectively settled, limited, or assured, at the Time of purchasing the same, or so many thereof as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect; and in the mean Time, and until such Purchase can be found, in Trust, by and with the like Approbation, so signified as aforesaid, to be invested in Government Securities, and the Interest and Dividends arising therefrom to be paid and applied to such Person and Persons as would be intitled to the Rents and Profits of the Premises, in case the same had not been vested in the Commissioners of the Treasury, or Lord High Treasurer for the Time being, or any Person to be appointed as aforesaid; and upon Payment of such Purchase-money by the Commissioners of the Treasury, or Lord High Treasurer for the Time being, to such Person or Persons so as aforesaid nominated to receive the same, the Premises for which the same shall be so paid shall be and are hereby vested in the Commissioners of the Treasury, or Lord High Treasurer for the Time being.

XI. And be it further enacted, That the Principal Money arising from the Sale of any Messuages, Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, being Feoffees in Trust, Guardians, Committees, or other Trustees, shall be paid to them respectively, or to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed then afterwards to be reinvested in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Messuages, Lands, Tenements, and Hereditaments, which shall be purchased from them respectively as aforesaid, were respectively settled, limited, and assured, at the Time of such the purchasing of the same, or so many thereof as at the Time of making such Conveyances and Settlements shall be existing and capable of taking effect; and in the mean Time, and until such Purchase can be found, in Trust, to be invested in Government Securities, and the Interest and Dividends arising therefrom to be paid and applied to such Bodies Politick, Corporate or Collegiate, Corporations Aggregate, Trustees, and other Person and Persons as would be intitled to the Rents and Profits of the Premises, in case the same had not been vested in the Commissioners of his Majesty's Treasury, or Lord High Treasurer for the Time being, by virtue of this Act.

XII. And whereas a further carrying on of the Embankment already made in divers Places on the North Shore of the River *Thames*, between *Westminster Bridge* and the New Bridge at *Blackfriars*, by extending such Embankments from the South-east Corner of *Kitchiner's Wharf* in one uniform Line to *Strand Lane Stairs*, lying within his Majesty's Manor of the *Savoy*, would contribute to the Improvement of the Navigation of the *Thames*, and to the Advantage as well as Ornament of the Offices hereafter to be established, and of his Majesty's Precinct of the *Savoy*; be it therefore enacted, by the Authority aforesaid, That it shall and may be lawful to and for any one or more Person or Persons, to be appointed for that Purpose by his Majesty, his Heirs or Successors, under his or their Sign Manual, and such Person and Persons is and are hereby authorized to inclose and embank, or cause to be inclosed and embanked, so much of the Ground and Soil of the said River as lies unembanked on the North Side thereof, from the South-east Corner of *Kitchiner's Wharf*, and projecting from thence thirty Feet into the River, and so continued in a uniform Line, so as to give a proper Direction to the Stream, and extending from thence Eastward to *Strand Lane Stairs*; the Foundation of the said Front Wall, to be made with such Set-off towards the said River, and the said Wall to be guarded with such Piles and other Defences, as shall be thought requisite and expedient for securing the Stability or Duration thereof.

XIII. And be it further enacted by the Authority aforesaid, That the Ground and Soil of the said River, so to be inclosed and embanked in the Front of the said Palace or Capital Messuage of *Somerset House*, and Garden thereunto belonging, shall vest, and the same are hereby vested in his Majesty, his Heirs and Successors, for the Uses and Purposes herein-after mentioned; and all the Rest and Residue of the Ground and Soil of the said River, to be inclosed and embanked as aforesaid, shall vest in, and the same is hereby vested in his Majesty, his Heirs and Successors, in Right of and as Parcel and Member of his Duchy of *Lancaster*.

XIV. And be it further enacted, That it shall and may be lawful to and for the Owner or Owners, Proprietor or Proprietors, for the Time being, of the respective Houses, Wharfs, and Grounds, situate between the *Adelphi Terras* and the West Corner of the Buildings called *The Savoy*, to make such Embankments, and erect such Houses and other Buildings, on the said Grounds, as the Lord High Treasurer, or Commissioners of his Majesty's Treasury for the Time being, shall, by Warrant under his or their Hand or Hands, authorize and direct, any Thing herein, or in an Act, intituled, *An Act for enabling certain Persons to inclose and embank Part of the River Thames, adjoining to Durham-yard, Salisbury-street, Cecil-street and Beaufort-buildings, in the County of Middlesex*, contained to the contrary notwithstanding.

XV. And whereas it is but just and reasonable, that any Bodies Politick or Corporate, and all other Person and Persons who claim any Right to the Soil of the River *Thames*, so intended to be inclosed as aforesaid, should be at Liberty to try such Right at Law; be it therefore enacted, That it shall and may be lawful to and for every such Person and Persons, Bodies Politick and Corporate, Sole or Aggregate, to proceed to Trial of such Claim or Right before the Chief Justice, or any other of the Judges of the Court of King's Bench or Court of Common Pleas respectively, at the Sittings of *Nisi Prius* in the said County of *Middlesex*, in or after *Michaelmas Term* now next ensuing, in a feigned Action for

and applied to purchase Lands subject to the like Uses as those purchased by the Commissioners;

and till such Purchase can be made, to be invested in Government Securities, &c.

How Money arising by the Sale of Lands belonging to Bodies Corporate, &c. is to be applied.

Persons appointed by his Majesty may embank the River, from *Kitchiner's Wharf*, projecting 30 Feet to *Strand Lane Stairs*.

Embankment vested in his Majesty, &c.

Owners of Wharfs may embank within certain Limits specified as his Majesty's Commissioners shall direct.

Persons claiming Right in the Soil of the River may try their Right of Claim at Law.

If Parties differ, the Issue to be tried by a Jury.

Court, upon the Verdict of the Jury, to give Judgment, which shall be final.

After passing this Act, Somerset House, with all its Appurtenances, &c. vested in his Majesty.

for the Purpose of erecting publick Offices.

When the Offices are erected, every one to be called after the Business of such respective Office, and all Acts, Matters, &c. done there to be valid in Law.

As by Act 12 Geo. III. Ely House, &c. became vested in his Majesty for the Purposes therein mentioned,

that Purpose, to be commenced in either of his Majesty's said Courts, on or before the First Day of Trinity Term next ensuing, wherein such Person or Persons, Bodies Politick or Corporate, as aforesaid, shall be Plaintiff or Plaintiffs upon one or more Issue or Issues, to be settled in the Court of which the said Action shall be commenced; if the Parties shall differ about the Settling thereof, such Issue or Issues to be tried by a Special Jury of Freeholders of the said County of Middlesex, whose Verdict thereupon, if the same shall be satisfactory to the Court where the Cause is tried, shall be final and conclusive to all the said Parties; and in case a Verdict shall be found for such Plaintiff or Plaintiffs as to the said Right, the said Jury shall upon their Oaths enquire, as well what Damages have been or will be sustained by, and what Recompence ought to be made for, so much of the Soil of the said River Thames as shall be taken away for the Purposes of embanking as aforesaid, as well as the respective Parts and Proportions of such Damages and Satisfaction which ought to be paid and borne in Proportion to their respective Interests therein, by or in respect of his Majesty's said Palace of Somerset House, and his said Manor of the Savoy, and to indorse the same upon the Poſtea; and for the better ascertaining such Damages, and the Proportions thereof, as aforesaid, the Court in which the said Action shall be commenced shall, upon the Application of either of the Parties, cause the said Jury to view the Places in question, to which said Jury all Parties, and all others interested, shall have their lawful Challenges; and the said Court where the said Action shall be tried shall, upon the Verdict of the said Jury in such feigned Action, give Judgment thereon according to Law; which Judgment shall be recorded by the said Court, and shall finally bind and conclude all Parties, and all others interested in the said Embankment.

XVI. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all that his Majesty's said Palace or Capital Messuage, called by the Name of Denmark House, otherwise Somerset House, otherwise Strand House, situate in or near the Parish of Saint Mary at Strand, in the County of Middlesex, with all its Rights, Members, and Appurtenances whatsoever, and all and singular Houses, Outhouses, Stables, Coach-houses, Edifices, Buildings, Courts, Yards, Gardens, and Appurtenances whatsoever, to the said Palace or Capital Messuage belonging or appertaining, or accepted, reputed, taken, or enjoyed, as Part, Parcel, or Member thereof, or of any Part thereof; and also so much of the Ground and Soil of the said River Thames, so to be inclosed and embanked as aforesaid, as lieth in the Front of the said Palace or Capital Messuage called Somerset House, and the Garden thereunto belonging; and also all such Messuages, Lands, Tenements, and Hereditaments, as shall at any Time be purchased by the Lords Commissioners of the Treasury, or any three of them, or by the Lord High Treasurer for the Time being, by virtue of the Powers and Authorities contained in this Act, together with all Erections and Buildings now erected and built upon the said Premises, or any Part thereof, or that shall or may at any Time hereafter be erected and built thereon, or on any Part thereof, shall be, and the same are hereby declared to be vested in his Majesty, his Heirs and Successors, freed and discharged, and absolutely acquitted, exempted, and indemnified, of, from, and against, all former Grants, Charters, Titles, Estates, or other Incumbrances whatsoever, for the Use, Intent, and Purpose of erecting and establishing, within the same, or upon the Ground and Scite thereof, the several Publick Offices hereafter mentioned; that is to say, The Salt Office, the Stamp Office, the Tax Office, the Navy Office, the Navy Pay Office, the Navy Victualling Office, the Publick Lottery Office, the Hawkers and Pedlars Office, the Hackney Coach Office, the Surveyor General of the Crown Lands Office, the Auditors of the Imprests Office, the Pipe Office, the Office of the Dutchy of Lancaster, the Office of the Dutchy of Cornwall, the Office of Ordnance, the King's Barge-master's House, the King's barge-houses, and such other Publick Offices and Buildings as shall be thought fit by his Majesty, his Heirs and Successors, and convenient to erect and establish there, notwithstanding any Restraint, or any other Matter or Thing contained in an Act of Parliament made in the first Year of the Reign of her late Majesty Queen Anne (intituled, *An Act for the better Support of her Majesty's Household, and the Honour and Dignity of the Crown*); or any Thing in the said recited Act, made in the second Year of the Reign of his present Majesty (intituled, *An Act for enabling his Majesty to make Provision for supporting the Royal Dignity of the Queen, in case she shall survive his Majesty*); or any other Law, Statute or Usage to the contrary thereof in any-wise notwithstanding.

XVII. And be it further enacted by the Authority aforesaid, That when all or any of the said several Offices, and such as may hereafter be erected or established, shall be so built and established, as aforesaid, the same shall be severally and respectively accepted in Law to be the proper Office, and shall be called after the Denomination of the Revenue or Business of such respective Office; and that all and every Act and Acts, Thing and Things, Matters and Concerns respectively, made, done, or executed there concerning such Office, or the Receipt and Management of any of his Majesty's said Revenues respectively, shall be and are hereby declared to be as good and valid in the Law, to all Intents and Purposes, as such Act or Acts, Matters, Things, or Concerns, would have been, had the same been made, done and executed at any ancient, present, or accustomed Office, had this Act never been made.

XVIII. And whereas by an Act made in the twelfth Year of the Reign of his present Majesty (intituled, *An Act for vesting Ely House in his Majesty, his Heirs and Successors, and for applying the Purchase-money, with another Sum therein mentioned, in the purchasing a freehold Piece of Ground in Dover-street, in the building and fitting up another House thereon for the future Residence of the Bishops of Ely, and the Surplus to the Benefit of the See, and for other Purposes therein mentioned*), all that House called Ely House, situate in Holbourn in the County of Middlesex, and all that and those the Chapel, Coach-houses, Stables, and other Offices, Gardens, and Yard thereto belonging, with all the Rights, Members, and Appurtenances to the House and Premises belonging, upon such Compensation, and with such Saving, as therein particularly expressed in that Behalf, became vested in his Majesty, his Heirs and Successors, to the Intent, among other Things, that the same should be applied to erect and establish Publick Offices thereon, as in and by the said recited Act, relation thereunto being had, may more fully appear: And whereas the said House called Ely House, and other the Premises, have been found not so

convenient

convenient for the Purposes aforesaid as the said Palace or Capital Messuage called *Denmark House*, otherwise *Somerset House*; and Part of the said Palace or Capital Messuage called *Denmark House*, otherwise *Somerset House*, or of the Messuages, Lands, and Tenements, to be purchased as herein-before is provided, or of the Land to be acquired and taken in by such Embankment as is herein-before mentioned, may not be required, or necessary to the Erection and Establishment of the Offices aforesaid; and it will be very advantageous to the Publick that the said *Ely House*, and all the Premises thereto belonging, and all such Part of the said Palace or Capital Messuage called *Denmark House*, otherwise *Somerset House*, and other the Premises as shall not be necessary to the Erection and Establishment of the Offices aforesaid, should be sold; and also all such Grounds, Buildings, Messuages, and Tenements, with their Appurtenances, as are now used and employed as and for any of the Publick Offices to be erected and established as aforesaid, and whereof or wherein his Majesty, or any Person or Persons in Trust for him, have or hath any Estate or Interest, other than and except such Houses, Rooms, or Apartments, as are Part of his Majesty's Royal Palace of *Whitehall*, should, after the Removal of such Offices, be likewise sold, for such Estate and Interest as his Majesty, or any other Person or Persons in Trust for him, have or hath therein, or that the said House called *Ely House*, and other the Premises, should be otherwise disposed of to the best Advantage, and that the Purchase-money or other Profits thereof, to be paid into the Hands of the Lords Commissioners of his Majesty's Treasury for the Time being, or into the Hands of such Person as they or any three of them shall, by Warrants under their Hands, direct or appoint to receive the same, should be applied and disposed of in erecting and establishing such Publick Offices as aforesaid, upon the Terms and in the Manner herein-after mentioned for that Purpose; and his Majesty is therefore pleased and contented that the same be enacted, ordained, and established accordingly; be it therefore ordained, enacted, and established, by the Authority aforesaid, That the said House, called *Ely House*, and all that and those the Chapel, Coach-houses, Stables, and other Offices, Gardens, and Yard thereunto belonging, with their and every of their Rights, Members, and Appurtenances, which by the said recited Act were vested or intended to be vested in his Majesty, his Heirs and Successors, as aforesaid, and also all such Part and Parts of the said Palace and Capital Messuage called *Denmark House*, otherwise *Somerset House*, and other the Premises, except as before excepted, as shall not be necessary for the Erection and Establishment of the several Offices aforesaid, and also all such Grounds, Buildings, Messuages, and Tenements, with their Rights, Members, and Appurtenances, as are now used and employed as and for any of the Publick Offices hereafter to be erected and established as aforesaid, and whereof or wherein his Majesty, his Heirs and Successors, or any Person or Persons in Trust for him or them, now have or hath, or can or may have, any Estate or Interest, except as before excepted, shall be vested in, and the same are hereby vested in the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, to the Intent that the same may be bargained, sold, or leased, disposed of, and applied to and for the several Purposes herein-after mentioned; and that it shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, to treat, contract, and agree, with any Person or Persons, Bodies Politick or Corporate, their Heirs, Successors, and Assigns, for the Sale, or for the leasing of all or any Part of the Estate, Right, Title, or Interest, in or to all or any of the Premises so vested in the Commissioners of the Treasury as aforesaid, for the most Money that can be got for the same, or upon Terms and Conditions the most advantageous as can be got: And that upon the executing such Contracts or Agreements by the Commissioners of his Majesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, or upon executing such other Conveyances, Surrenders, or Demises, as in such Contract or Contracts shall be agreed on for that Purpose, and Payment of the Price at such Time or Times as shall be agreed on, into the Hands of such Person or Persons as shall be appointed for that Purpose as aforesaid, to be applied and disposed of according to the Directions of this present Act, such Conveyances, Assignments, Surrenders, and Demises shall be good and effectual in the Law, to all Intents and Purposes, and shall acquit and discharge every such Purchaser or Lessee, his and their Heirs, Successors, Executors, Administrators, and Assigns, as against his Majesty, his Heirs and Successors, and all other Person or Persons claiming or to claim, by, from, under, or in Trust for him or them, or the said Commissioners or their Trustees, notwithstanding any Restriction or other Matter or Thing contained in the said Act of the first of her late Majesty Queen *Anne*, or any other Law or Statute whatsoever.

XIX. And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money arising by such Sales or Contracts, or by any Conveyances, Assignments, Surrenders, or Demises, made in pursuance thereof, of the said House called *Ely House*, and other the Premises so by this Act vested in the Commissioners of the Treasury as aforesaid, or of any Part thereof, shall be issued and applied, and are hereby appropriated and applied to the Uses and for the Purposes following, that is to say, In the first place, for paying and defraying all Expences incurred in and about executing and completing such Sale or Sales as aforesaid, or relating thereto respectively; and after Payment of such Charges and Expences aforesaid, the Surplus and Residue of the said Money shall be applied for and towards the Expences of inclosing and embanking so much of the Ground and Soil of the River *Thames*, so to be inclosed as aforesaid, as lieth in the Front of the said Palace or Capital Messuage called *Denmark House*, otherwise *Somerset House*, and the Garden thereunto belonging; and for and towards Payment of the Consideration for any Purchase to be made in pursuance of this Act; and for and towards the Expences of laying out, building, finishing, completing, and maintaining all and each of the several Publick Offices herein-before mentioned; and it shall and may be lawful for the Commissioners of his Majesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, to issue his or their Warrant from Time to Time for the Payment and Application of such Sum and Sums of Money accordingly.

XX. And be it enacted by the Authority aforesaid, That in case the Money arising by such Sale or Sales, Demises or Surrenders of the said House called *Ely House*, and other the Premises, so vested in the

the said House, and such Parts of Somerset House, &c. as may not be necessary for the Publick Offices, now vested in the Commissioners, and may be sold, &c.

Conveyances, Assignments, &c. to Purchasers to be good in Law against all Claims, &c.

How the Money arising by the Sale of *Ely House*, &c. is to be applied.

If Money arising by sales, &c. be not sufficient, Mo-

ney granted for Naval Services, &c. may be applied.

Saving Clause.

Commissioners of the Treasury indemnified for what they shall do in pursuance of this Act. Actions to be brought within three Months, &c. Defendants may plead the General Issue.

Publick Act.

Commissioners of his Majesty's Treasury, to be sold or demised as aforesaid, shall not be sufficient to answer the Purposes for which the same is appropriated as aforesaid, that then it shall and may be lawful to and for the Commissioners of his Majesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, and he or they are hereby empowered, by Warrant under his or their Hand or Hands, by or out of all or any of the Aids or Supplies granted or to be granted by Parliament, for or towards all or any of the Naval Services, and out of all or any of the Revenues arising or to arise to his Majesty, within the Receipt, Management, or Government of all or any of the several Offices erected and established, or to be erected and established by virtue of this Act, to order and direct, from Time to Time, such Sum and Sums of Money as he or they shall judge necessary for answering the Purposes aforesaid, and carrying the Intentions of this Act into effectual Execution: Saving always to all and every Person and Persons, their Heirs, Executors, and Administrators, and all Bodies Politick and Corporate, and their Successors, (other than and except the King's most excellent Majesty, his Heirs and Successors, and other than such Person or Persons seised or possessed) in Trust for his Majesty, his Heirs and Successors, all such Estate, Right, Title, Interest, and Demand whatsoever, which they, or any of them, have, or might have had, of, in, to, or out of the said Palace called *Denmark House*, otherwise *Somerset House*, or to the said Capital Messuage, late called *Buckingham House*, and other the Premises, or any Part thereof, before the making of this Act, as fully and effectually, to all Intents and Purposes, as if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

XXI. And be it further enacted by the Authority aforesaid, That the said Lords Commissioners of his Majesty's Treasury now or for the Time being, or the Lord High Treasurer for the Time being, and each and every other Person and Persons authorised by them, or any three of them, to do any Act in Execution of any of the Powers intended to be hereby vested in them respectively, as aforesaid, are and shall be hereby indemnified for what they shall do in pursuance of this Act: And that if any Action shall be brought or Suit commenced against any Person or Persons for any Thing done in pursuance of this Act; or in relation to any of the Premises herein-before mentioned, every such Action or Suit shall be laid or brought within three Calendar Months after the Fact committed; such Action shall be laid in the County of *Middlesex*, and not elsewhere; and the Defendant in such Action or Suit shall and may be at Liberty to plead the General Issue, and give this Act and the special Matter in Evidence, without specially pleading the same: And this Act and every Clause and Matter therein shall by all and every Judge and other Person and Persons be construed and adjudged as largely and beneficially as can be for the Ends and Purposes herein expressed.

XXII. And it is hereby declared to be a Publick Act of Parliament; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. XXXIV.

An Act for encouraging the Manufactures of Rape Oil, and other Vegetable Oils, in this Kingdom, by reducing the Duties on Rape Seed, and other Seeds producing Oil imported from *Ireland*; and for allowing the free Importation of Rape Cakes for Manure from *Ireland* to this Kingdom.

Preamble.
Act 22 Car. II.

by Act 11 Geo. I.
made perpetual.

After Aug. 3. 1775, when Rape Seed shall be above 17^h. 20s. per Last, all former Duties on such Seed imported from *Ireland* shall cease; and in lieu thereof of 1s. per Last shall be paid, and no more. How Duties are to be collected, and applied.

WHEREAS by an Act, passed in the twelfth Year of the Reign of his late Majesty King *Charles the Second*, intituled, *An Act for granting to his Majesty a Subsidy of Tonnage and Poundage, and other Sums of Money payable on Merchandise exported and imported*, heavy Duties have been imposed upon Rape Seed, and upon Oil extracted from Rape Seed, and other Vegetable Oils imported from *Ireland*, which Duties, by an Act passed in the eleventh Year of the Reign of his late Majesty King *George the First*, have been made perpetual; and the said Duties have been found by Experience to amount to a Prohibition of the Importation of the said Commodities from his Majesty's said Kingdom of *Ireland*: And whereas this Kingdom, not being able to supply its own Consumption, is obliged to purchase large Quantities of Oils of different Sorts from Foreigners, in the place of many of which Sorts now imported on low Duties, Oils made in this Kingdom of Rape Seed imported from *Ireland* might be advantageously substituted, and particularly for the Use of the Woollen Manufacture: And whereas there is Reason to apprehend that there may be a Deficiency in the Quantity of Whale Oil and other Fish Oil, so necessary for a Variety of Manufactures, which Deficiency may be best provided against by a Supply of Vegetable Oil to be manufactured in this Kingdom; may it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August*, one thousand seven hundred and seventy-five, whenever the Price of middling *British* Rape Seed, at the Ports and Places where Rape Seed shall be imported into this Kingdom, shall appear, according to the Methods directed by the several Acts of Parliament for ascertaining the Rates and Prices of Corn and Grain imported, to be at or above the Price of seventeen Pounds and ten Shillings per Last, all Duties heretofore imposed upon or payable on Account of any Rape Seed, or other Seed, commonly made use of for the Purpose of extracting Oil from the same, imported from *Ireland*, shall cease, determine, and be no longer paid; and in lieu thereof, there shall be paid to his Majesty, his Heirs and Successors, a Duty of one Shilling per Last, and no more, upon all Rape Seed, and upon all other Seeds commonly made use of for the Purpose of extracting Oil therefrom, such Seeds being of the Growth of *Ireland*, and imported from thence into *Great Britain*.

II. And be it further enacted, That the said Duties shall be levied, collected, paid, and applied, in such and the same Manner, and for such and the same Uses and Purposes, as the Duties granted by the said Act

of the twelfth Year of the Reign of his late Majesty King *Charles* the Second are directed to be levied, collected, paid, and applied.

III. And be it further enacted by the Authority aforesaid, That from and after the first Day of *August* next, it shall and may be lawful to import, into any Part of *Great Britain*, from *Ireland*, all Rape Cakes, or Cakes made of Rape Seed, commonly used for the Purpose of Manure, Duty-free.

Rape Cakes for Manure may be imported from *Ireland* Duty-free.

C A P. XXXV.

An Act to permit the free Importation of raw Goat Skins into this Kingdom for a limited Time.

‘ **W**HEREAS it would tend greatly to encourage and improve the Manufacture of red, green, and blue Leather in this Kingdom, if the Importation of raw and undressed Goat Skins Duty-free was permitted for a limited Time;’ 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 twentieth Day of *June*, one thousand seven hundred and seventy-five, it shall and may be lawful to and for any Person or Persons to import and bring into this Kingdom, in *British*-built Ships or Vessels, navigated according to Law, from any Port or Place whatsoever, any Goat Skins raw or undressed, without paying any Subsidy, Custom, or other Duty whatsoever for the same, for the Space of five Years from the said twentieth Day of *June*, one thousand seven hundred and seventy-five, or at any Time thereafter before the End of the then next Session of Parliament, any Law, Custom, or Usage to the contrary notwithstanding.

Preamble:

After June 20, 1775, raw Goats Skins may be imported from any Place into this Kingdom Duty-free for 5 Years.

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That due Entry shall be made of all such Goat Skins at the Custom-house belonging to the Port into which the same shall be imported, in such Manner and Form as was used and practised before the making of this Act; and such Goat Skins shall be landed in the Presence of the proper Officer or Officers of the Customs appointed for that Purpose; and if any Person or Persons, upon the Importation of such Goat Skins, shall not observe and perform the said Rules and Regulations herein-before mentioned, every such Person shall be liable to pay such and the same Duties as such Goat Skins would have been subject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithstanding.

Due Entry of all such Goat Skins to be made at the Custom-house;

and on Default, to be liable to former Duties.

C A P. XXXVI.

An Act to explain and amend an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act to enable the Speaker of the House of Commons to issue his Warrants to make out New Writs for the Choice of Members to serve in Parliament, in the Room of such Members as shall die during the Recess of Parliament*; and for enabling the Speaker of the House of Commons to make out New Writs for the Choice of Members to serve in Parliament, in the Room of such Members as shall during the Recess of Parliament become Peers of *Great Britain*, and be summoned to Parliament; and for suspending the Execution of the said Act with respect to the Borough of *Shaftesbury*, in the County of *Dorset*, during the next Recess of Parliament.

‘ **W**HEREAS by an Act, passed in the tenth Year of his present Majesty’s Reign, intituled, *An Act to enable the Speaker of the House of Commons to issue his Warrants to make out New Writs for the Choice of Members to serve in Parliament, in the Room of such Members as shall die during the Recess of Parliament*, the Speaker of the House of Commons is required to issue his Warrants to the Clerk of the Crown to make out new Writs in the Room of Members who die during a Recess of Parliament for more than twenty Days, whether by Prorogation or Adjournment, the Deaths of such Members having been certified in Writing to him under the Hands of two Members of the House of Commons, and fourteen Days Notice being first given by the Speaker of the House of Commons thereof, and of his Intentions to issue such Warrants, by inserting such Notice in the *London Gazette*: And whereas Inconveniencies might arise if such Notice should be inserted in the *London Gazette*, and such Warrant should be issued by the Speaker of the House of Commons, in the Case of the Death of a Member, which shall not be certified to the Speaker of the House of Commons so long before the actual Meeting of the House of Commons for the Dispatch of Business as that the said Notice may be inserted, and the fourteen Days expire, before the said Meeting of the House of Commons; or in the Case of the Death of a Member against whose Election or Return a Petition had been presented to the House of Commons, and was depending at the Time of such Prorogation or Adjournment:’ For preventing the same, 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 nothing in the said Act contained extends, or shall be construed to extend, to require the Speaker of the House of Commons to insert Notice in the *London Gazette*, or issue his Warrant to make out a new Writ in the Room of any Member deceased, whose Death shall not be duly certified to the Speaker of the House of Commons so long before the actual Meeting of the House of Commons for the Dispatch of Business as that the Speaker of the House of Commons may be able to insert Notice thereof, and of his Intention to issue such Warrant, fourteen Days at the least before such Meeting of the House

Preamble. Act 10 Geo. III. recited.

Explanation of said Act with respect to the issuing of Writs for Members to serve in Parliament.

House of Commons; or for the Election of a Member to serve in Parliament for any County, Shire, City, Borough, Cinque-port, or Place, in the Room of any Member deceased, against whose Election or Return for such County, Shire, City, Borough, Cinque-port, or Place, a Petition had been presented to the House of Commons, and was actually depending at the Time of such Prorogation or Adjournment.

Speaker to issue his Warrants, during a Recess, for electing Members in the Room of those become Peers of Great Britain.

II. And whereas it would tend still further to promote the Purposes of the said Act of the tenth Year of his present Majesty, and to prevent those Inconveniencies and Disorders which may be occasioned for want of more speedy Elections of Members of the House of Commons, if the Provisions of the said Act were extended to the Cases of Members who shall become Peers of *Great Britain*, be it enacted by the Authority aforesaid, That from and after the End of this present Session of Parliament, it shall and may be lawful for the Speaker of the House of Commons for the Time being, during the Recess of Parliament for more than twenty Days, whether by Prorogation or Adjournment, and he is hereby required to issue his Warrants to the Clerk of the Crown, to make out new Writs for electing Members of the House of Commons in the Room of such Members as shall, during such Recess, become Peers of *Great Britain*, as soon as he shall receive Notice, by a Certificate under the Hands of two Members of the House of Commons, that a Writ of Summons hath been issued under the Great Seal of *Great Britain* to summon the said Members to Parliament.

The like Notice to be given as of Members deceased.

III. Provided also, That after the Receipt of such Certificate, the like Notice in the *London Gazette* shall be given by the Speaker, as is required in the Case of Members deceased; and such Notice and Warrant shall be subject and liable to the same Exceptions and Regulations as are required by the said Act and by this present Act, in the Case of Notices to be given, and Warrants to be issued in the Room of Members dying during a Recess.

Speaker not to issue any Warrant, &c. for the Borough of Shafton.

IV. And whereas it has appeared to the House of Commons, that there was the most notorious Bribery and Corruption at the last Election of Members to serve in this present Parliament for the Borough of *Shafton* otherwise *Shaftesbury*, in the County of *Dorset*: And whereas, in consequence thereof, and until the House of Commons shall have an Opportunity of making a further Inquiry into the Persons concerned in the said Bribery and Corruption, the House of Commons have provided, that no Writ do issue for the electing of a Burgess to serve in Parliament for the said Borough during the present Session of Parliament; but as it may happen that, during the next Recess of Parliament, the Speaker of the House of Commons may, by virtue of the said recited Act of the tenth Year of his present Majesty, be required to issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Burgess to serve in Parliament for the said Borough of *Shaftesbury*: And whereas the issuing such Writ during the next Recess of Parliament might tend to defeat those Measures which it may be proper to take in consequence of the said notorious Bribery and Corruption; be it enacted by the Authority aforesaid, That the Speaker of the House of Commons shall not be enabled, by virtue of the said recited Act, to issue his Warrant to the Clerk of the Crown to make out a new Writ for the said Borough of *Shafton* otherwise *Shaftesbury*, in the County of *Dorset*, during the said next Recess of Parliament.

C A P. XXXVII.

An Act to permit the Importation of Painted Earthen Ware (except Galley Tiles), the Manufacture of *Europe*, to be sold in *Great Britain*, and for charging the same with a Duty *ad valorem*.

Preamble.
Act 3 Edw. IV. recited.

Act 11 Geo. I. recited.

After June 20, 1775, any Sort of Earthen Ware, being the Manufacture of Europe, may be imported into this Kingdom, (except Galley Tiles.)

Former Rate of 20 s. per lb. to cease.

WHEREAS by an Act of Parliament, made in the third Year of the Reign of King Edward the Fourth (intituled, *Certain Merchandises not lawful to be brought ready wrought into this Realm*), amongst several Articles therein mentioned, any Manner of painted Wares are prohibited to be brought into this Realm, to be uttered and sold within the same: And whereas by the additional Book of Rates, made in the eleventh Year of the Reign of his late Majesty King George the First, Earthen Ware of all Sorts (except *India* or *China* not to be uttered or sold, and not otherwise rated), the Pound Weight, broken or whole, is rated at Ten-pence, which Rate is considerably under the true real Value of such Earthen Ware: And whereas, notwithstanding the said recited Act, great Quantities of Earthen Ware, made and painted in foreign Parts of *Europe*, have been clandestinely brought and imported into this Kingdom, and run on Shore and sold here, and there is great Reason to believe that several Parcels of such painted Earthen Ware, which have been entered not to be uttered or sold, and paid the Duties imposed thereon by Law, according to the Rate before mentioned, of Ten-pence the Pound Weight, have nevertheless been afterwards sold and disposed of in this Kingdom, to the Discouragement of the Manufactures of this Sort of Ware carried on in several Parts of *Great Britain*, and to the Prejudice of the United Company of Merchants of *England* trading to the *East Indies*, the *China* Earthen Ware imported by them being subject to a much higher Duty: Now, for Remedy thereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twentieth Day of *June*, one thousand seven hundred and seventy-five, it shall and may be lawful for any Person or Persons to import into this Kingdom any Sort of painted Earthen Ware, being the Manufacture of *Europe*, to be uttered or sold in *Great Britain* (except Galley Tiles), any Thing in the before-recited Act, made in the third Year of the Reign of King Edward the Fourth, or any other Act, to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That from and after the said twentieth Day of *June*, the before-mentioned Rate of Ten-pence the Pound Weight, for Earthen Ware of all Sorts (except *India* or *China* not to be uttered or sold, and not otherwise rated), shall be, and the same is hereby repealed, and the several Duties payable upon the Importation of such Earthen Ware according to that Rate,

Rate, shall cease, determine, and be no longer paid; and in lieu and instead thereof, all Earthen Ware (except *India or China*) not otherwise rated, whether painted or not, which, from and after the said twentieth Day of *June*, shall be imported or brought into this Kingdom, either for private Use, or to be uttered or sold in *Great Britain*, shall be liable to and pay for the old Subsidy, granted by the Act of Tonnage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, ten Pounds ten Shillings for every one hundred Pounds, according to the true Value and Price of such Earthen Ware; to be ascertained by the Oath or Affirmation of the Importer or Proprietor thereof, in the Presence of the Customer, Collector, Comptroller, and Surveyor of his Majesty's Customs at the Port of Importation, or any two of them; and the several further Subsidies, additional Duties, and all other Imposts and Duties whatsoever, to which such Earthen Ware was subject and liable to, at the Rate of Ten-pence per Pound Weight, before the making of this Act, shall in like Manner be paid proportionably according to such Value and Price, and not according to any other Rate or Value.

and instead thereof, all Earthen Ware, &c. to pay 10l. 10s. for every 100l. ad valorem; to be ascertained on Oath of the Importer, &c.

III. And be it further enacted by the Authority aforesaid, That such Earthen Ware shall be subject and liable to the same Rules, Regulations, Restrictions, and Forfeitures, that other unrated Goods, undervalued by the Importer or Proprietor, are subject and liable to by Law; and the several Subsidies, Impositions, and Duties, made payable by this Act upon such Earthen Ware, shall be raised, levied, collected, recovered, paid and applied, in such Manner and Form, and by such Ways and Means, and under the like Penalties and Forfeitures, and with such Discounts, Allowances, and Drawbacks, as the said former Subsidies and other Duties were raised, levied, collected, recovered, paid, and applied, and were subject and liable to; and all the Powers, Penalties, Provisions, Articles, and Clauses, contained in the several Acts of Parliament which granted or continued the same respectively, shall continue in full Force and Effect, and shall be applied, practised, and executed, for the raising, levying, collecting, recovering, paying, and applying the said respective Subsidies, Impositions, and other Duties, according to the true Intent and Meaning of this present Act, as fully and effectually, to all Intents and Purposes, as if the said Clauses, Powers, and Provisions, had been repeated and enacted in the Body of this present Act.

Earthen Ware subject to the same Rates, &c. as other unrated Goods, &c. Duties, &c. to be collected and applied as the former Duties; and the Powers of the Acts which granted the same continued in full Force.

C A P. XXXVIII.

An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-five. 1,250,000 l.

C A P. XXXIX.

An Act to empower Justices of the Peace to administer Oaths where any Penalty is to be levied, or Distress to be made, in pursuance of any Act of Parliament, wherein the same is not expressly directed.

WHEREAS it is frequently necessary for Justices of the Peace to administer Oaths or Affirmations, where Penalties are to be levied, or Distresses to be made, in pursuance of Acts of Parliament, which they have no Power to administer, unless authorised so to do by such Acts respectively; 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 in all Cases where any Penalty is directed to be levied, or Distress to be made, by any Act of Parliament now in Force, or hereafter to be made, it shall and may be lawful for any Justice or Justices acting under the Authority of such Acts respectively, and he and they is and are hereby authorised and empowered to administer an Oath or Oaths, Affirmation or Affirmations, to any Person or Persons, for the Purpose of levying such Penalties, or making such Distresses respectively.

Preamble.

In all Cases where Penalties, &c. are directed to be levied under Acts, Justices are empowered to administer Oaths, &c. for levying such Penalties, &c.

C A P. XL.

An Act for amending and explaining an Act, passed in the fourteenth Year of his Majesty's Reign, intituled, *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of Quebec, in America.*

WHEREAS by an Act, passed in the fourteenth Year of his Majesty's Reign (intituled, *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of Quebec, in America*), it is, amongst other Things, enacted, That if any Goods, chargeable with any of the Duties in the said Act mentioned, shall be brought into the said Province by Land Carriage, the same shall pass and be carried through the Port of *Saint John's*, near the River *Sorrel*; or if such Goods shall be brought into the said Province by any Inland Navigation, other than upon the River *Saint Lawrence*, the same shall pass and be carried upon the said River *Sorrel* by the said Port, and shall be there entered with and the said respective Rates and Duties paid for the same, to such Officer or Officers of his Majesty's Customs as shall be there appointed for that Purpose; and if any such Goods coming by Land Carriage or Inland Navigation, as aforesaid, shall pass by or beyond the said Place before named without Entry or Payment of the said Rates and Duties, or shall be brought into any Part of the said Province by or through any other Place whatsoever, the said Goods shall be forfeited; and every Person who shall be assisting, or otherwise concerned, in the bringing or removing such Goods, or to whose Hands the same shall come, knowing that they

Preamble; Clause in Act 14 Geo. III. recited.

His Majesty's Subjects may bring, by Land or Inland Navigation, into any Parts of Quebec, not heretofore comprehended in the Royal Proclamation of Oct. 7, 1763, any Quantity of Rum, Brandy, &c.

‘ were brought or removed contrary to this Act, shall forfeit treble the Value of such Goods; to be estimated and computed according to the best Price that each respective Commodity bears in the Town of Quebec at the Time such Offence shall be committed; and all the Horses, Cattle, Boats, Vessels, and other Carriages whatsoever, made use of in the Removal, Carriage, or Conveyance of such Goods, shall be forfeited and lost, and shall and may be seized by any Officer of his Majesty's Customs, and prosecuted as therein after mentioned: And whereas there is Reason to apprehend, that the Regulations and Restrictions contained in the said herein-before recited Clause, so far as they relate to the bringing of Rum, Brandy, or other Spirits, into the Province of Quebec by Land Carriage, may, without further Explanation, operate to the Prejudice and Disadvantage of the Commerce carried on with the Indians in the upper or interior Parts of the said Province, we, your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all his Majesty's Subjects freely to bring, carry or convey, by Land Carriage or Inland Navigation, into any Parts of the Province of Quebec, not heretofore comprehended within the Limits thereof by his Majesty's Royal Proclamation of the seventh of October one thousand seven hundred and sixty-three, any Quantity of Rum, Brandy, or other Spirits, any Thing contained in the before-recited Act of Parliament to the contrary thereof in any wise notwithstanding.

C A P. XLI.

An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds *per Centum* Annuities, in the Manner and on the Terms therein mentioned; and for establishing a Lottery.

C A P. XLII.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-five; and for further appropriating the Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

Preamble.

‘ WE, your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to your Majesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as shall, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, 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, there shall and may be issued and applied, for and towards making good the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and seventy-five, a Sum not exceeding one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings; 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.

Not exceeding 1915,552 l. 16 s. 11 d. 3 q. granted out of the Fund, for the Service of the current Year;

to be issued by the Treasury accordingly.

Treasury empowered to raise the said Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund;

II. And it is hereby enacted by the Authority aforesaid, That in case the said 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, shall think it adviseable to raise the said Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, upon the Credit of the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund, and to have and receive Interest for the Forbearance of the Money lent, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them, now or for the Time being, or the High Treasurer for the Time being, who are or is hereby authorized to issue his or their Warrants for that Purpose, as such Loans shall be wanted for the publick Service; and, moreover, that no Money to be lent upon the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

All Persons who shall lend any Money upon the Credit of this Act to have a Tally of Loan, with Orders for Repayment of the Money with Interest.

III. And be it further enacted, That all and every Person or Persons who shall lend any Money upon the Credit of this Act, as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her, or their Repayment, bearing the same Date with his, her, or their Tally; in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent shall be registered in

Course,

Course, according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her, or their Executors, Administrators, or Assigns, who shall have his, her, or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses, and Overplus Monies, or other Revenues; and he, she, or they, who shall have his, her, or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in of or for the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors, or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever, other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf, as aforesaid; and that no Fee, Reward, or Gratuity, directly or indirectly, shall be demanded or taken of any of his Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also: And if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with full Costs of Suit, to the Party grieved, and shall be forejudged of his Place or Office; and if any such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after incapable of his Office or Place: And in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person's due Place and Order, as before directed; then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

V. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders, to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come and take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy preceding Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registered by virtue of this Act, after Order entered in the Book of Register as aforesaid, his, her, or their Executors, Administrators, or Assigns, by proper Words of Assignment, to be indorsed and written upon his, her, or their Order, may assign and transfer his, her, or their Right, Title, Interest, and Benefit, of such Order to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Register aforesaid for Orders (which the Officers shall, upon Request, without Fee or Charge, accordingly make), shall intitle such Assignee, his, her, or their Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons, who hath or have made such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

VII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the Whole the said Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills, as is herein after mentioned, or by both or either of those Ways or Means, for the Publick Service, be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them, now or for the Time being, or the High Treasurer for the Time being, shall judge it more advisable to raise the said Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, or any Part thereof, by Exchequer Bills, instead of such Loans, as aforesaid, that then he or they respectively is or are hereby authorized and empowered, at any Time or Times, to prepare and make, or cause to be prepared or made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the Whole the said Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, together with such Loans aforesaid, in the same or like Manner, Form, or Order, and according to the same or like Rules and Directions, as in and by a certain Act of this present Session of Parliament, intituled, *An Act for continuing*

Orders to be registered in Course. No undue Preference to be given in Payment.

No Fee to be taken, on Forfeiture of treble Damages, with full Costs.

Penalty of undue Preference in point of Registry or Payment.

Auditor, &c. neglecting his Duty, liable for Damages, &c. to be recovered at Westminster.

No undue Preference in the registering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not brought in Course, so as Money be reserved for the preceding Orders.

Power of Assignment, and Method of transferring of Orders.

If it shall be judged more advisable, the Treasury may raise the said Sum by Exchequer Bills instead of Loans; and the Bills in such Case to be made as those prescribed by the said Act of this Session.

and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-five, are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act.

All Advantages and Penalties in the Malt Act of this Session, relating to Loans or Exchequer Bills thereby authorized to be made forth, extended to this Act.

The said Exchequer Bills, Interest, and Charges, are to be paid out of the Sinking Fund.

Bank authorized to lend to his Majesty the Sum of 1,915,551 l. 16 s. 11 d. 3 q. notwithstanding Act 5 & 6 Gul. & Marize.

The Sum of 895,686 l. 13 s. 10 d. 1 q. Surplus of the Sinking Fund in the Exchequer on April 5, 1775; and such Monies as shall be paid into the Exchequer between April 5, 1775, and April 5, 1776, of the Produce of the Duties on Gum Senega and Gum Arabic; 10,976 l. 18 s. 2 d. remaining in the Exchequer of the Duties of Rice exported, and Apples imported, Cambricks and Sugars, granted by 6 Geo. III.; and Monies paid by Counties who have not raised Militia; and of the imprest

15,000 l. for supporting the necessary Expences of Forces in America, Nova Scotia, Newfoundland, and the ceded Islands, out of the Monies to be paid into the Exchequer on April 5, 1776.

Appropriation of the Supplies. The Monies arising by the Malt Tax,

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities, contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act), 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 Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoos had been particularly repeated and re-enacted in the Body of this present Act.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills which shall be made in pursuance of this Act, and the Interest, Premium, Rate, and Charges, incident to or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards the paying off, cancelling, and discharging such Exchequer Bills, Interest, Premium, Rate, or Charges, until the Whole of them shall be paid off, cancelled, and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

X. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of England to advance or lend to his Majesty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, any Thing in an Act made in the fifth and sixth Years of the Reign of King William and Queen Mary, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against France*, to the contrary thereof in any wise notwithstanding.

XI. And be it further enacted by the Authority aforesaid, That the Sum of eight hundred ninety-five thousand six hundred and eighty-six Pounds thirteen Shillings and Ten-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of April, one thousand seven hundred and seventy-five, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and also such of the Monies as shall be paid into the Receipt of the Exchequer after the fifth Day of April, one thousand seven hundred and seventy-five, and on or before the fifth Day of April, one thousand seven hundred and seventy-six, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his present Majesty's Reign, upon the Importation and Exportation of Gum Senega and Gum Arabic; and also the Sum of ten thousand nine hundred and seventy-six Pounds eighteen Shillings and Two pence, remaining in the Receipt of the Exchequer, of the Monies arisen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the sixth Year of his present Majesty's Reign; the Monies paid by the Receivers General of the several Counties which have not raised the Militia; and also of such imprest Monies as remain there for the Disposition of Parliament; shall and may be issued and applied at the said Receipt of his Majesty's Exchequer, for and towards making good the said Supply; 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.

XII. And be it further enacted by the Authority aforesaid, That a Sum not exceeding fifteen thousand Pounds, out of such Monies as remain in the Receipt of the Exchequer, and that shall be paid in there on or before the fifth Day of April, one thousand seven hundred and seventy-six, of the Produce of all or any of the Duties and Revenues which by any Act or Acts of Parliament have been directed to be reserved for the Disposition of Parliament, towards defraying the necessary Expences of defending, protecting, and securing the British Colonies and Plantations in America, be applied towards making good such Part of the Supply as hath been granted to his Majesty for maintaining his Majesty's Forces and Garrisons in the Plantations, and for Provisions for the Forces in North America, Nova Scotia, Newfoundland, and the ceded Islands, for the Year one thousand seven hundred and seventy-five: 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.

XIII. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-five*, and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made, or to

be

be made, on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer, to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-five*, and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made, or to be made, on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges allowable thereby, for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also the Sum of one million two hundred and fifty thousand Pounds, granted by one other Act of this Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-five*; and also all the Monies coming into the Exchequer by Contributions for a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for redeeming the Sum of one million of the Capital Stocks of Three Pounds per Centum Annuities, in the Manner and on the Terms therein mentioned; and for establishing a Lottery*; and also the said Sum of eight hundred ninety-five thousand six hundred eighty-six Pounds thirteen Shillings and Ten-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of April, one thousand seven hundred and seventy-five, for the Disposition of Parliament, of the Monies which had then arisen of the Surplusses, Excesses, and Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and also such of the Monies as shall be paid into the Receipt of the Exchequer after the fifth Day of April, one thousand seven hundred and seventy-five, and on or before the fifth Day of April, one thousand seven hundred and seventy-six, of the Produce of the Duties charged by two Acts made in the fifth and fourteenth Years of his present Majesty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and also the said Sum of ten thousand nine hundred seventy-six Pounds eighteen Shillings and Two-pence, remaining in the Receipt of the Exchequer, of the Monies arisen by the Duties on Rice exported; the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the sixth Year of his present Majesty's Reign; the Monies paid by the Receivers General of the several Counties which have not raised the Militia; and also of such imprest Monies as remain there for the Disposition of Parliament; and also the further Sum of one million nine hundred and fifteen thousand five hundred fifty-two Pounds sixteen Shillings and Eleven-pence three Farthings, by this Act granted, out of such Monies as shall or may arise of the Surplusses, Excesses, or Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, shall be further appropriated, and are hereby appropriated, and shall be issued and applied for and towards the several Uses and Purposes hereafter expressed, together with the Residue of the Monies arising from the Sale of *French Prizes* taken before the Declaration of the late War, which his Majesty declared in a most gracious Speech to his Parliament, that he had directed, for the Ease of his Subjects, to be applied to the publick Service; and also such Sum or Sums of Money as his Majesty, according to his most gracious Intentions, expressed in the same Speech, shall direct, for the further Ease of his Subjects, to be also applied to the publick Service, out of the Monies which have arisen, or shall arise, by the Sale of Lands belonging to his Majesty in the Islands of the *West Indies*, which were ceded to his Majesty by the late Treaty of Peace.

Imprest Monies remaining for the Disposition of Parliament; and 1,915,521. 16s. 11d. 3q. by this Act granted, out of the Excesses, &c. composing the *Sinking Fund*; together with the Money arising from the Sale of *French Prizes* taken before the Declaration of War; and also such Sums of Money as his Majesty shall direct to be applied to the publick Service, which shall arise by the Sale of the ceded Islands in the *West Indies*.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million six hundred seventy-eight thousand and fifty-nine Pounds fifteen Shillings and Ten-pence, for or towards the Naval Services herein particularly expressed; (that is to say,) For or towards *Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed, and to be performed; and for or towards Sea Services in the Office of Ordnance, performed, and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea and Marine Officers; and for or towards maintaining four thousand seven hundred and seventy-four Marines; and towards the Buildings, Rebuildings, and Repairs of Ships of War in his Majesty's Yards, and other extra Works, over and above what are proposed to be done upon the Heads of Wear and Tear, and Ordinary, for the Year one thousand seven hundred and seventy-five.*

XV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding six thousand Pounds, upon Account, to be applied by the Commissioners, or Governors of the Royal Hospital for Seamen at *Greenwich*, for the Support and Relief of Seamen worn out and become decrepit in the Service of their Country, who shall not be provided for within the said Hospital.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two hundred twenty-eight thousand and fifty-nine Pounds one Shilling and Seven-pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and seventy-five.

XVII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding thirty-two thousand seven hundred forty-eight Pounds five Shillings and Three-pence, for defraying the Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament in one thousand seven hundred and seventy-four.

XVIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one

Land Tax,

Loans,

Lottery,

and 895,686l. 13s. 10d. 1q. remaining in the Exchequer on April 5, 1775, for the Disposition of Parliament; and such Monies as shall be paid into the Exchequer between April 5, 1775, and April 5, 1776, of the Produce of the Duties on Gum Senega and Gum Arabic; and 10,970 l. 18s. 2 d. of the Monies on Rice exported, and Duties on Apples imported, and on Cambricks and Sugars, by Act 6 Geo. III.; the Monies paid by Counties who have not raised Militia; and the

Not exceeding 1,678,059 l. 15s. 10d. to be issued out of the Supplies towards Naval Services;

6000 l. to the Royal Hospital for Seamen at Greenwich, &c.

228,059 l. 1s. 7d. Charges of the Office of Ordnance;

32,748 l. 5s. 3d. for Charges of the Office of Ordnance not provided for in 1774;

1,582,057 l. 9s. 9d. 3q. towards the Land Forces;

of which
627,689 l. 19s.
4 d. for defray-
ing the Charges
of 17,547 effec-
tive Men, &c.;
and 1522 Inva-
lids, for Guards,
&c. in Great
Britain, &c.;
371,186 l. 10d.
1 8th of a Pen-
ny, for Forces
and Garrisons in
Africa; 2,874 l.
4s. 9 d. to make
good the Differ-
ence of Pay be-
tween the British
and Irish Estab-
lishment of
Troops serving
in the Isle of
Man, &c.;
11,473 l. 18s.
6 d. 2 q. for
General and Gen-
eral Staff Offi-
cers in Great
Britain;
105,326 l. 16s.
3 d. to the re-
duced Officers of
the Land Forces
and Marines;
870 l. 3s. 9 d.
to the two
Troops of Horse
Guards reduced,
&c.; 628 l. to
the Pensions of
Officers Wi-
dows, &c.;
67,706 l. 12s.
1 d. for the Aug-
mentation of the
Forces; 9,536 l.
10s. 7 d. to
make good the
Difference be-
tween British and
Irish Pay of cer-
tain Troops, &c.;
122,221 l. 15s.
5 d. to the Out-
pensioners of Chelsea Hospital; 262,537 l. 7s. 10d. 1-8th of a Penny, towards extraordinary Expences of the Land Forces, and other Services incurred, and not provided for,

12,000 l. for
discharging Ex-
chequer Bills of
last Session;

12,578 l. 14s.
9 d. to make
good to his Ma-
jesty the like
Sum issued in
pursuance of the
Addresses of the
House of Com-
mons;

4,346 l. 10s. 5d.
for supporting
the Civil Estab-
lishment of No-
va Scotia;
3,086 l. for the
Civil Estab-
lishment of Georgia;
4,950 l. for the
Civil Estab-
lishment of East
Florida;

one million five hundred eighty-two thousand and fifty-one Pounds nine Shillings and Nine-pence three Farthings, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; (that is to say,) Any Sum or Sums of Money, not exceeding six hundred twenty-seven thousand six hundred eighty-nine Pounds nineteen Shillings and Four-pence, for defraying the Charge of seventeen thousand five hundred and forty-seven effective Men, Commissioned and Non-commissioned Officers included, and including one thousand five hundred and twenty-two Invalids for Guards, Garrisons, and other his Majesty's Land Forces in *Great Britain, Jersey, and Guernsey*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding three hundred seventy-one thousand one hundred eighty-six Pounds and Ten-pence, and one-eighth Part of a Penny, towards further maintaining his Majesty's Forces and Garrisons in the Plantations and *Africa*, including those in Garrison at *Minorca and Gibraltar*, and for Provisions for the Forces in *North America, Nova Scotia, Newfoundland, Gibraltar*, the ceded Islands, and *Africa*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding two thousand eight hundred seventy-four Pounds four Shillings and Nine-pence, for defraying the Charge of the Difference of Pay between the *British and Irish* Establishment of three Battalions and three Companies of Foot, serving in the *Isle of Man, at Gibraltar, and Minorca*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding eleven thousand four hundred seventy-three Pounds eighteen Shillings and Sixpence Halfpenny, for the Pay of the General and General Staff Officers in *Great Britain*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding one hundred and five thousand three hundred twenty-six Pounds sixteen Shillings and Eight-pence, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding eight hundred and seventy Pounds three Shillings and Nine-pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding six hundred and twenty-eight Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and were married to them before the twenty-fifth Day of *December*, one thousand seven hundred and sixteen, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding sixty-seven thousand seven hundred and six Pounds twelve Shillings and one Penny, for defraying the Charge of an Augmentation to his Majesty's Forces, consisting of four thousand three hundred and eighty-three Men, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding nine thousand five hundred thirty-six Pounds ten Shillings and Seven-pence, for defraying the Charge of the Difference of Pay between the *British and Irish* Establishment of one Regiment of Light Dragoons and two Regiments of Foot, from the first Day of *March* to the twenty-fourth Day of *December*, one thousand seven hundred and seventy-five, both Days inclusive, being two hundred and ninety-nine Days, as also for defraying the Charge of Levy-money for the Augmentation to Major General *Preston's* Regiment of Light Dragoons, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding one hundred twenty-two thousand two hundred twenty-one Pounds fifteen Shillings and Five-pence, upon Account, towards defraying the Charge of the Outpensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding two hundred sixty-two thousand five hundred thirty-seven Pounds seven Shillings and Ten-pence, and one-eighth Part of a Penny, towards defraying the extraordinary Expences of his Majesty's Land Forces, and other Services incurred between the twenty-second Day of *April*, one thousand seven hundred and seventy-four, and the eighth Day of *March*, one thousand seven hundred and seventy-five, and not provided for

by Parliament.

XIX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of one million two hundred and fifty thousand Pounds, for paying off and discharging the Exchequer Bills made out by virtue of an Act passed in the last Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Loans, or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-four*, and charged upon the first Aids to be granted in this Session of Parliament.

XX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of twelve thousand five hundred seventy-eight Pounds fourteen Shillings and Nine-pence, to make good to his Majesty the like Sum which has been issued by his Majesty's Orders, in pursuance of the Addresses of the House of Commons.

XXI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding four thousand three hundred forty-six Pounds ten Shillings and Five-pence, upon Account, for maintaining and supporting the Civil Establishment of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding three thousand and eighty-six Pounds, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding four thousand nine hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his

Majesty's

Majesty's Colony of *East Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding five thousand four hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his Majesty's Colony of *West Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding one thousand eight hundred eighty-five Pounds and four Shillings, upon Account, for defraying the Expences attending general Surveys of his Majesty's Dominions in *North America*, for the Year one thousand seven hundred and seventy-five.

XXII. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding thirteen thousand Pounds, to be employed in repairing; maintaining, and supporting the *British* Forts and Settlements on the Coast of *Africa*; and any Sum or Sums of Money, not exceeding six thousand three hundred thirty-six Pounds and Nine-pence Halfpenny, upon Account, for defraying the Expence of supporting and maintaining the Civil Establishment of the Government of *Senegambia*, on that Part of the Coast of *Africa* situate between the Port of *Sallee* in *South Barbary* and *Cape Rouge*, for the Year one thousand seven hundred and seventy-five.

XXIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three thousand Pounds, towards enabling the Trustees of the *British Museum* to carry on the Execution of the Trusts reposed in them by Parliament; and any Sum or Sums of Money, not exceeding five thousand Pounds, to be advanced to the Governor and Company of the Merchants of *England* trading into the *Levant Seas*, to be applied in assisting the said Company in carrying on their Trade.

XXIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding six thousand nine hundred ninety-eight Pounds ten Shillings and seven Pence, upon Account of the Expences of the new Roads of Communication, and building Bridges, in the Highlands of *North Britain*, in the Year one thousand seven hundred and seventy-five; and any Sum or Sums of Money, not exceeding two thousand one hundred and forty-five Pounds, for defraying the Expence of engraving Charts of the Coasts of *Ireland*, and also of the West Coast of *Great Britain* from *Bristol Channel* to *Cape Wrath*, the North-western Promontory of *Scotland*, including all the adjacent Islands, surveyed by Master *Murdoch Mackenzie*; and any Sum or Sums of Money, not exceeding three thousand seven hundred and eleven Pounds and fifteen Shillings, towards defraying the Expence of engraving Charts of the Coast of *North America*, between the Bay of *Chaleurs* in the Gulph of *Saint Lawrence*, and the River *Saint Croix* in the Bay of *Fundy*, surveyed by *Joseph Frederick Waller Des Barres*, Esquire; and any Sum or Sums of Money, not exceeding forty-six thousand eight hundred forty-six Pounds nine Shillings and Three-pence, to be applied to reimburse the Governor and Company of the Bank of *England* the Charges and Expences incurred by them in receiving the deficient Gold Coin of this Realm, in pursuance of an Order of the Lords Commissioners of his Majesty's Treasury of the twenty-second Day of *July*, one thousand seven hundred and seventy-three, and for Interest of the Monies advanced by them to the Holders of the same; and any Sum or Sums of Money, not exceeding twenty-two thousand eight hundred twenty-four Pounds and nineteen Shillings, for defraying the extraordinary Charge of his Majesty's Mint in the Tower of *London* in the Year ended the thirty-first Day of *December*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding five thousand Pounds, to enable his Majesty to assist the Inhabitants of the Island of *Barbadoes*, in defraying the Expence of cleansing the Channel, repairing the Mole, and rendering the Harbour there more safe and commodious; and any Sum or Sums of Money, not exceeding one thousand six hundred and eighty-four Pounds fifteen Shillings and Ten-pence, to make good the like Sum which has been paid to several Persons, as a Compensation and in full Satisfaction for their Losses and Expences incurred, pursuant to several Orders of Council for preventing the spreading of the infectious Distemper amongst the horned Cattle; and any Sum or Sums of Money, not exceeding five hundred and fifty Pounds, out of the Monies that have been or shall be paid into the Receipt of the Exchequer, on Account of the Sale of *French Prizes* taken before the Declaration of the late War, to be paid to Master *Edward Richardson*, or his Assigns, in Reward and full Satisfaction for the Information and Assistance given by him in the Discovery of the Estate and Effects of the late Master *Edward Manning*, one of the Agents for the Sale of the said Prizes in the Island of *Jamaica*.

Sum paid for preventing the infectious Distemper among the horned Cattle; 550 l. to Mr. Richardson, out of the Monies raised by the Sale of *French Prizes*, for his Discovery of the Effects of Mr. Manning;

XXV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of eight hundred and eighty thousand Pounds, to enable his Majesty to satisfy and make good the several Sums payable to the Persons who have subscribed their Capital Stock of three Pounds *per Centum* Annuities, to be discharged and annihilated upon the Terms expressed in the Resolution of the House of Commons of the fourth Day of *May*, one thousand seven hundred and seventy-five.

XXVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding forty-five thousand four hundred forty-six Pounds eight Shillings and Two-pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July*, one thousand

Not exceeding 5,450 l. for the Civil Establishment of *West Florida*; 1,335 l. 4 s. for defraying Expences attending Surveys in *North America*; 13,000 l. for repairing and maintaining the Forts in *Africa*; 6,336 l. 9 d. 2 q. for supporting the Civil Establishment of *Senegambia*; 3,000 l. to the Trustees of the *British Museum*, &c.; 5,000 l. to the Governor, &c. of Merchants of *England* trading to the *Levant Seas*;

6,938 l. 10 s. 7 d. on account of the Expence of new Roads, &c. in the Highlands of *Scotland* in 1775; 2,145 l. to Mr. Mackenzie, for engraving Charts of the Coasts of *Ireland*, &c.; 3,711 l. 15 s. to Mr. Waller Des Barres for engraving Charts of *North America*, &c.; 46,846 l. 9 s. 3 l. to the Bank of *England* for receiving the deficient Gold Coin; 22,824 l. 19 s. for the extraordinary Charge of his Majesty's Mint; 5,000 l. granted to his Majesty, to assist the Inhabitants of *Barbadoes*, in cleansing the Channel, &c.; 1,684 l. 15 s. 10 d. to make good the like

880,000 l. granted to his Majesty, to be payable to Persons who have subscribed their Capital of 3 *per Cent.* &c.; 45,446 l. 8 s. 2 d. to the Sinking Fund, to make good the Deficiency on July 5, 1775;

Not exceeding 112,528l. 2s. 5d. to make good the Deficiency of Grants for the Service of 1774.

The said Aids to be applied only to the Uses before mentioned.

Rules to be observed in the Application of the Half-pay.

By Act 14 Geo. III.

a Sum not exceeding 107,525l. 19s. 2d. was appropriated to be paid to the reduced Officers.

Overplus Monies above satisfying said Officers, to be disposed of to Officers who were maimed, &c. in the late Wars, or to Officers Widows and Children, as his Majesty shall direct.

thousand seven hundred and seventy-four, of the Fund established for paying Annuities granted by an Act made in the thirty-first Year of the Reign of his late Majesty, towards the Supply granted for the Service of the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money, not exceeding one hundred twelve thousand five hundred twenty-eight Pounds two Shillings and Five-pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and seventy-four.

XXVII. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies, provided as aforesaid, shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose, contained in any other Act or Acts of this present Session of Parliament.

XXVIII. And as to the Sum of one hundred and five thousand three hundred twenty-six pounds sixteen Shillings and Eight pence, by this Act appropriated on Account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, that the Rules herein-after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop, or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Person who did actual Service in some Regiment, Troop, or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in Great Britain or Ireland shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person, by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in Ireland, except to such as were lately taken off the Establishment of Half-pay in Great Britain.

XXIX. And whereas by an Act of Parliament, made in the fourteenth Year of his present Majesty's Reign, intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-four; and for further appropriating the Supplies granted in this Session of Parliament, for carrying to the Aggregate Fund a Sum of Money which hath arisen by the Two Sevenths Excise; and for enabling the Barons of the Exchequer in Scotland to make out a Certificate for the Payment of the Sum of five hundred Pounds to Lady Anne Mackenzie, out of the Balance remaining of the Sum of seventy-two thousand Pounds, granted for paying the Creditors of the forfeited Estates in Scotland; the several Supplies which had been granted to his present Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money, not exceeding one hundred and seven thousand five hundred twenty-five Pounds nineteen Shillings and Two-pence, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines for the Year one thousand seven hundred and seventy-four, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, by the Authority aforesaid, That so much of the said Sum of one hundred and seven thousand five hundred twenty-five Pounds nineteen Shillings and Two-pence as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed, or have lost their Limbs in the late Wars, or such others as, by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.*

C A P. XLIII.

An Act for Lighting and Watching the Hamlet of *Highgate*, in the County of *Middlesex*.

Preamble.

WHEREAS the Hamlet of *Highgate*, within the Parishes of *Hornsey, Saint Pancrass, and Saint Mary Islington*, in the County of *Middlesex*, is large and populous, and it would be a great Convenience and Benefit to the Inhabitants thereof if Provision was made for lighting the same, and establishing a nightly Watch therein: And whereas the Inhabitants and Owners of Houses within the said Hamlet are willing and desirous that a Rate should be raised upon themselves to defray the Charge thereof; but the same cannot be done, and the good Purposes aforesaid effected, without the Aid 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 Major General

Trustees Names.

Charles Fitz-Roy, Richard Wilbraham Bootle, Thomas Cave, James Champain, William Baynes, Edward Ellicot, Thomas Saunders, Alexander Anderson, Thomas Pratt, William Bell, Thomas Chetnam, Thomas Isherwood, William Jellico, Evan Harris, Matthew Knapp, Edward Barnard, William Offley, William Callon, Thomas Everett, Robert Langford, Robert Thomas, Charles Causton, John Lucy, Stephen Beckingham, John Cobb, Robert Mendham, Tobias Kleinert, John Hurford, Thomas Palmer, Richard Bankes, Samuel Totton, Thomas Pool, David Duveluz, Osbern Thornton, John Reynolds, William Herne, William Hurford, John Mears, Edward Holmes, John Paignon, William Wetherell, John Constable, Gabriel Cox, James Reynolds, George Penton, John Jones, Christopher Perkins, John Minsbul, and the Minister and Chaplain belonging to the Chapel

Chapel of the said Hamlet of *Highgate* for the Time being, shall be and they are hereby appointed Trustees for causing the said Hamlet to be lighted and watched in the Night, from and including a House known by the Sign of *The Crown*, in the Occupation of *John Saunders*, on the East Side of the Road leading from *London* through *Islington*, and from and including a House nearly opposite the same, in the Occupation of *William Callon*, Esquire, on the West Side of the said Road, through the said Hamlet, on the great Road to and including the House known by the Name of *The Lower Wrestlers*, in the Occupation of *William Roberts*, on the East, and another House nearly opposite the same, known by the Name of *The Black Bull*, in the Occupation of *James Williamson*; and from and including a House in the Occupation of *William Offley*, Esquire, on the Road from *London* through *Kentish Town*, and from thence to the South Side of the Hamlet, including all the Houses to the Publick House known by the Sign of *The Angel*, and occupied by *Jeremiah Lister*, and on the North Side all the Houses opposite thereto, beginning at the House occupied by *George Daniel*; and from thence to and including *Pemberton Row*, to the Publick House known by the Name of *The Gate House*, occupied by *James Baggally*, including also all the Houses in the Centre near the Ponds, and also the House in the Grove occupied by *Stephen Beckingham*, Esquire, and the Houses in the Lane leading by the Side of the Grove towards the Door of the Stable-yard of the said *Stephen Beckingham*, Esquire; and down a certain Lane called *Kenn* or *Cane Wood Lane*, to and including a House now in the Occupation of Major General *Charles Fitz-Roy*; and down *Hornsey-Lane* to and including a House in the Occupation of *Robert Langford*, Esquire, on the South, and a House nearly opposite the same, in the Occupation of *Thomas Richards*, Brickmaker, on the North Side of the Road leading to *Hornsey*; and down *Southwold* or *Chapel Lane* to and including a House in the Occupation of *Richard Wilbraham Bootle*, Esquire, on the Road leading to *Muswell Hill*; and down the Lane leading to *Highgate Common*, ending at the Back Door of the said House occupied by *Richard Wilbraham Bootle*, Esquire; and for putting this Act in Execution.

Description of the Roads intended to be lighted.

II. Provided always, That nothing in this Act contained shall compel the said Commissioners to light the said Lane called *Ken* or *Cane Wood Lane*, but only to cause the said Lane to be watched.

Cane Wood Lane to be only watched.

III. And be it further enacted, That when any of the said Trustees herein named, or hereafter to be elected, shall die, resign, or refuse to act, or shall remove from the said Hamlet, or shall be disqualified to act, it shall and may be lawful for the surviving or remaining Trustees, or any five or more of them, at any of their Meetings, in either of the said Cases, from Time to Time to elect and appoint one other fit Person, residing in the said Hamlet, to be a Trustee in the Stead of every Trustee so deceased, resigning, refusing to act, removing, or being disqualified; and every such Person so from Time to Time elected and appointed shall be joined with the surviving or remaining Trustees, and is hereby impowered to act, to all Intents and Purposes, in as full and ample Manner as if such Person had been particularly named and appointed in and by this Act.

When Trustees die, or refuse to act, others to be chosen.

IV. And be it further enacted, That the said Trustees, or any five or more of them, are hereby authorised and impowered to meet at the *Gate House* in *Highgate*, on the tenth Day next after the passing of this Act, and shall proceed to the Execution of this Act, and shall then, and from Time to Time afterwards, adjourn themselves, and meet there, or at such other Place or Places within the said Hamlet, as the said Trustees, or any five or more of them, shall think most convenient, as often as it shall be necessary for putting this Act in Execution.

Time and Place of the first Meeting of Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless at the Time of his acting therein he shall be seised in his own Right, or in Right of his Wife, and be in the actual Possession or Receipt of Rents and Profits of a Real Estate in Law or Equity of the clear yearly Value of twenty Pounds above Reprizes; or unless such Person shall rent or occupy Tenements and Hereditaments within the said Hamlet of the yearly Value of twenty Pounds: And if any Person or Persons hereby made incapable to act shall presume to act in the Trust aforesaid, every such Person shall, for every such Offence, forfeit the Sum of twenty Pounds; to be recovered in any of his Majesty's Courts of Record at *Westminster*; and every Person so prosecuted, or against whom such Action shall be brought, shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty without any other Proof given on the Part of the Plaintiff or Plaintiffs in such Action than that such Person hath acted as a Trustee in the Execution of this Act; and the Money to be recovered in such Action shall, after Payment of the Costs and Expences attending such Action, be applied to the Purposes of this Act.

Qualification of Trustees.

Penalty on Persons acting and not qualified.

VI. And be it further enacted, That the said Trustees, or any five or more of them, shall from Time to Time (if they shall think fit) appoint a Clerk, who shall enter all their Proceedings in a Book or Books to be kept for that Purpose, and shall and may also from Time to Time appoint such Collector or Collectors, and such other Officer or Officers as they shall think proper to employ in the Execution of this Act; and shall and may from Time to Time make such Allowances to all such Clerks, Collectors, and other Officers, for their Trouble and Attendances in the Execution of this Act, as the said Trustees, or any five or more of them, shall, at any of their General Meetings, from Time to Time think fit; and shall and may also (if they think fit) appoint a Treasurer for the Receipt of the Money to be raised and collected by the Rates or Assessments to be made by virtue of this Act; and every such Treasurer so to be appointed is hereby directed and required to account at the End of every three Months (or oftener if required) to the said Trustees, or any five or more of them, for all Monies by him received and disbursed by virtue of this Act, and to pay such Money as upon the said Account shall appear to be remaining in his Hands to such Person or Persons as the said Trustees, or any five or more of them, shall appoint to receive the same; to be applied to and for the several and respective Uses and Purposes for which the same was levied and raised.

Trustees to appoint Officers,

and make Allowances for their Trouble.

Treasurers to account every three Months.

VII. Provided always, That the said Trustees shall take such Security from their Treasurer and other Officers, as they, or any five or more of them, shall think fit; but no Salary or Allowance whatsoever shall

Treasurer and other Officers to give Security.

No Victualler, &c. to hold the Place of Clerk, &c.
Time of Trustees meeting to make the Rates, &c.

shall be made to any Treasurer upon any Account or Pretence whatsoever; and that no Victualler or Retailer of Ale, Beer, or Spirituous Liquors shall be capable of holding the Place of Clerk, or any Place or Office under this Act.

VIII. And, in order that a sufficient Sum of Money may from Time to Time be raised for the Purposes of this Act, be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall, and they are hereby authorised and required to meet in some convenient Place within the said Hamlet, upon the third Monday after the passing of this Act; and shall also meet annually upon the first Monday next after the Feast of Saint John the Baptist, or within seven Days afterwards, at such Time and Place as they, or any five or more of them, shall think fit; Notice of the Time and Place of every such annual Meeting being first given in the Chapel of Highgate on the Sunday next before every such Meeting; and the said Trustees, or any five or more of them, shall and are hereby authorised and required, at their first Meeting, to be holden as aforesaid, and also at all subsequent annual Meetings which shall be held in pursuance of this Act, to make a Pound-rate, to be equally assessed, for the watching and lighting the said Hamlet within the Limits aforesaid, and for defraying all the Charges and Expences attending the Execution of this Act, upon all and every Person and Persons who do and shall inhabit, hold, use, occupy, or enjoy, any House, Shop, Warehouse, or other Building, Garden, Tenement, or Hereditament, within the said Hamlet, or on any other Person or Persons who by Law is or are chargeable and assessable for and towards the Relief of the Poor within the said Hamlet, according to the real improved Rent or Value of every such House, Shop, Warehouse, or other Building, Garden, Tenement, or Hereditament aforesaid (except as herein-after is excepted) for such Sum and Sums of Money as the said Trustees, or any five or more of them, assembled at their first Meeting, or at any of their annual Meetings, shall order, direct, and appoint; and the said Rates or Assessments shall be signed by any five of the said Trustees, and shall be paid quarterly.

Rates not to exceed 2s. in the Pound.

IX. Provided always, That no Rate or Assessment directed to be made as aforesaid shall exceed in the Whole the Sum of two Shillings in the Pound in any one Year, of the yearly Rent of such Houses, Shops, Warehouses, or other Buildings, Gardens, Tenements, or Hereditaments, as aforesaid.

Persons under 6l. yearly Rent exempted from Rates.

X. Provided also, That all Persons who occupy Tenements under the yearly Value of six Pounds improved Rent, and who subsist only by their manual Labour, and do not keep an open Shop for the Sale of Goods, Wares, or Merchandises, shall be freed and exempted from the Payment of the said Rates, or any Part thereof; any Thing contained in this Act to the contrary thereof notwithstanding.

Trustees to appoint Collectors.

XI. And be it further enacted, That such Person or Persons as the said Trustees, or any five or more of them, shall, by Writing under their Hands and Seals, appoint for that Purpose, shall be and they are hereby appointed Collector or Collectors of the said Rates or Assessments to be raised and levied by virtue of this Act; and the said Collector or Collectors is and are hereby authorised, empowered, and required, to collect and levy the same accordingly: And for the better enabling such Collector or Collectors to collect the said Rates or Assessments, it shall and may be lawful to and for the said Collector or Collectors to execute all such Warrants of Distress as shall be granted from Time to Time by any Justice of the Peace of the said County of Middlesex against any Person or Persons neglecting or refusing to pay the said Rates or Assessments, in the same Manner, and as effectually to all Intents and Purposes, as Overseers of the Poor, by any Law or Laws now in being, can or may execute Warrants of Distress granted by Justices of the Peace.

Their Powers for levying the Rates.

Collectors to account upon Oath, if required.

XII. And be it further enacted, That the said Collector or Collectors, and each of them, shall, and he and they is and are hereby required to make up and render upon Oath to the said Trustees, or any five or more of them, at some publick Meeting to be held in pursuance of this Act, as often as thereunto required by the said Trustees, or any five or more of them, a full, true, and perfect Account, in Writing, of all Monies collected and received by him or them by virtue of this Act, and of all Monies rated or assessed and not received; and to pay over the Monies so by him or them collected and received, and remaining in his or their Hands, to such Person or Persons as the said Trustees, or any five or more of them, present at any such publick Meeting, shall, by Writing under their Hands, appoint to receive the same; to be applied for lighting and watching the said Hamlet, and the several other Purposes of this Act, according to the true Intent and Meaning hereof: And if the said Collector or Collectors shall refuse or neglect to give in a just Account as aforesaid, or to pay the Monies remaining in his or their Hands in Manner as aforesaid, he and they shall be subject and liable to such and the like Punishment as Overseers of the Poor are, for Offences of the like Sort, subject and liable to.

and pay the Money collected to Persons appointed to receive the same.

In case Persons chargeable refuse to pay, how the Rates may be levied.

XIII. And be it further enacted, That in case any Person or Persons so rated or assessed, or charged or chargeable, and made liable as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to the Collector or Collectors for the Space of three Days after personal Demand thereof made, or Demand in Writing left at the last or usual Place of Abode of such Person or Persons, it shall and may be lawful to and for any one or more Justice or Justices of the Peace acting for the said County of Middlesex, upon Oath (which Oath he and they is and are hereby empowered and required to administer without Fee or Reward) of such Demand, and Non-payment, by Warrant, under his or their Hand and Seal, or Hands and Seals (which he and they is and are hereby empowered and required to grant), to authorise and direct the said Collector or Collectors to levy such Rate, or Money so in Arrear, together with the Costs and Charges attending the same, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of every such Person and Persons so in Arrear, and neglecting or refusing to pay as aforesaid, rendering the Overplus (if any be) to the Owner or Owners of such Goods and Chattels, on Demand thereof being made by such Owner or Owners.

Goods, &c. may be distrained in any Place within the County, or elsewhere.

XIV. And, for the more effectual levying the Money rated and assessed for the several Purposes of this Act, be it further enacted by the Authority aforesaid, That the Goods and Chattels of any Person rated or assessed as aforesaid, and neglecting or refusing to pay the same, shall and may be distrained in Manner aforesaid,

aforefaid, not only in the faid Hamlet where fuch Rate or Affeffment was made, but in any other Place in the County of *Middlefex*; and if fufficient Diffrefs cannot be found within the fame County, then upon Oath thereof made before any one or more Juftice or Juftices of the Peace of any other County, City, Liberty, or Place (which Oath fhall be certified under the Hand of the faid Juftice or Juftices on the Warrant made for fuch Diffrefs), the Goods and Chattels of the Perfon fo refufing or neglecting to pay fhall be fubject and liable to fuch Diffrefs in fuch other County, City, Liberty, or Place, where the fame fhall be found, and may, by virtue of fuch Warrant and Certificate, be diftrained and fold, in the fame Manner as if the fame had been found within the faid Hamlet of *Highgate*.

XV. Provided always, and be it further enacted, That it fhall and may be lawful to and for the faid Truftees, or any five or more of them, from Time to Time, as they fhall judge fit and neceffary, at any of their Meetings to be held in purfuance of this Act, to compound with, or in Part or wholly to remit, to any Perfon or Perfons fo rated or affeffed as aforefaid, and who fhall or may at any Time hereafter, on account of his, her, or their Poverty, Difability, or Diffrefs, be exempted from or excufed the Payment of the Church and Poor's Rates, or either of them, in the faid Hamlet, all fuch Sum or Sums of Money which he or they fhall be fo rated or affeffed as aforefaid, when and as often as it fhall from Time to Time be made appear to the Satisfaction of the faid Truftees, or any five or more of them, as aforefaid, that fuch Perfon or Perfons, fo rated or affeffed as aforefaid, is or are, on account of fuch his, her, or their Poverty, Diffrefs, or Inability, real and proper Objects of fuch Compofition or Exemption.

XVI. And be it further enacted, That in cafe any Collector of the faid Rates and Affeffments fhall embezzle, detain, or mifapply, any Sum or Sums of Money which fhall be fo collected by him, fo that the fame cannot be recovered from him; or fhall be poffeffed of any Sum or Sums of Money by him collected by virtue of this Act, and which fhall not be paid or recovered from his Executors or Administrators for the Space of forty Days after his Death; then, and in every fuch Cafe, all fuch Sums of Money fhall be raifed by a new Rate or Affeffment, to be made for that Purpofe on the Inhabitants of the faid Hamlet, and fhall be collected and levied in fuch Manner, and under fuch Penalties, as are hereinbefore provided for the collecting and levying the Rates and Affeffments which fhall be made in purfuance of this Act, any Thing in this Act contained to the contrary notwithstanding.

XVII. And, in order that a fufficient Sum of Money may be forthwith raifed to defray the Expences of lighting and watching the faid Hamlet, be it further enacted, That it fhall and may be lawful for the faid Truftees, or any five or more of them, from Time to Time, to borrow any Sum or Sums of Money for the Purpofes of this Act, not exceeding in the Whole the Sum of Five hundred Pounds, at Intereft not exceeding five Pounds *per Centum per Annum*; and to affign over by Writing, figned by any five or more of the faid Truftees, all or any Part of the faid Rates or Affeffments, as a Security for the Repayment of the Principal and Intereft of the Money fo to be borrowed; and all fuch Securities may from Time to Time be affigned and transferred by Indorfement, or otherwife; and fuch Affignments and Transfers fhall intitle the Perfon to whom the fame fhall be made to all Principal and Intereft Money due, and to grow due, upon fuch Securities.

XVIII. And be it further enacted, That all Securities for any Money to be borrowed as aforefaid fhall be in the following Words, or Words to the following Effect:

BY virtue of an Act, made in the fifteenth Year of the Reign of his Majesty King *George* the Third, For Lighting and Watching the Hamlet of *Highgate*, in the County of *Middlefex*, We of the Truftees, do affign to *A. B.* his Executors, Administrators, and Affigns, in Confideration of the Sum of _____ from this Day of _____ in the Year of our Lord _____ until the faid Sum of _____ with Intereft at the Rate of _____ *per Centum per Annum*, fhall be repaid, fuch Proportion of the Rates or Affeffments, to be rated or affeffed by virtue of the faid Act, as the faid Sum of _____ fhall bear to the whole Sum advanced on the Credit of the fame.

And Copies of all fuch Securities fhall be entered in a Book or Books, to be kept for that Purpofe by the Clerk to the faid Truftees; but no Money fhall be borrowed after fuch firft Meeting, unlefs Notice for that Purpofe be given in Writing, to be affixed upon the Chapel Door of the faid Hamlet at leaft fourteen Days before the borrowing thereof; and all and every Perfon and Perfons to whom any fuch Security or Securities fhall be made as aforefaid, or who fhall be intitled to the Money thereby fured, may from Time to Time, by Writing under his, her, or their Hand and Seal, or Hands and Seals, affign or transfer his, her, or their Right, Title, Intereft, or Benefit, to the Principal and Intereft thereby fured, to any Perfon or Perfons whomfoever, by proper Words of Affignment, to be indorfed on the Back of fuch Security, in the Prefence of one credible Witnefs; which Transfer or Affignment fhall be in the following Words, or Words to the like Effect:

I DO transfer this Affignment, with all my Right and Title to the Principal and Intereft thereby fured, unto _____ his (or her) Executors, Administrators, and Affigns: In Witnefs whereof I have hereunto fet my Hand and Seal, this _____ Day of _____ Witnefs *C. I.* *A. B.*

Which faid Transfer or Affignment fhall be produced and notified to the Clerk to the faid Truftees, who fhall caufe an Entry or Memorial to be made of fuch Affignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money, in a Book or Books to be kept for that Purpofe, for which the faid Clerk fhall be paid fuch Sum as the faid Truftees, or any five or more of them, fhall appoint, not exceeding _____

Truftees may compound or remit the Rate to Perfons unable to pay.

How Rates may be made good if Collectors detain or mifapply Money.

Truftees empowered to borrow Money, not exceeding 500 l. and may affign the Rates as a Security.

Form of Security.

Copies of Securities to be entered in a Book. Securities may be affigned.

Form of Affignment.

Clerk to make Entries of Affignments.

exceeding the Sum of two Shillings and Sixpence; and after such Entry made, and not till then, such Assignment shall intitle such Assignee, his or her Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may in like Manner assign again, and so *toties quoties*; and it shall not be in the Power of the Person or Persons making such Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and all and every Person and Persons to whom any such Security or Securities shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Rates or Assessments in equal Degree one with another, and shall have no Preference with respect to the Priority of advancing such Monies, or the Dates of such Assignments.

Money borrowed to be charged on the Rates.

XIX. And be it further enacted, That all and every the Sum and Sums of Money so to be advanced and lent, and the Interest thereof shall be and are hereby charged upon, and shall be paid and payable from Time to Time out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act.

Trustees Powers with respect to lighting, and appointing Watchmen, &c.

XX. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall and may, from Time to Time, cause the said Hamlet to be lighted for such Time and Times, and in such Manner, and by such Ways and Means, as they, or any five or more of them, shall judge proper and convenient; and shall and may also appoint such Number of able-bodied Men (to be armed and clothed in such Manner as the said Trustees, or any five or more of them, shall direct) to be employed as Watchmen in the Night-time for the Safety of the Inhabitants of the said Hamlet, and to attend from Time to Time, and at such Times and Places, and to perform such Duty as the said Trustees, or any five or more of them, shall order, direct, and appoint; and the said Trustees shall also appoint two proper Persons to be Supervisors of such Watchmen, which Persons so to be appointed Supervisors shall be and are hereby empowered to act as Constables for the Purpose of carrying this Act into Execution; and the said Trustees, or any five or more of them, shall and may remove any or all such Watchmen and Supervisors from Time to Time, as they shall see Cause, and appoint others in the Room of such of them as shall be so removed; and shall and may apply so much of the said Rates or Assessments, or of the Money to be borrowed or raised on the Credit thereof, as shall be necessary for the several Purposes aforesaid.

Supervisors of Watchmen to be appointed, &c.

Persons wilfully breaking Lamps, &c. to forfeit so. for every Offence, and make good the Damage.

XXI. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or damage any of the Lamps that shall be set up for lighting the said Hamlet, or shall wilfully extinguish the Light or Lights within the same, or damage the Irons or other Furniture thereof, it shall and may be lawful to and for any Person or Persons whomsoever who shall see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and 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 (which Oath the said Justice is hereby authorized and required to administer); 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 Trustees for the Time being, the Sum of twenty Shillings, one Moiety to go to the Informer, and the other Moiety to be applied to the Purposes of this Act; and shall also make Satisfaction to the said Trustees, or to such Person or Persons as they, or any five or more of them, 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 Forfeiture, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Space of Time not exceeding one Calendar Month; 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 and given.

On Nonpayment to be committed.

How Persons breaking Lamps by Carelessness, &c. may be punished.

XXII. And be it further enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the Lamps so to be set up as aforesaid, or the Irons or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto; then, and in every such Case, it shall and may be lawful for any one Justice of the Peace for the said County of *Middlesex*, upon Complaint made to him by one or more credible Witness or Witnesses, to summon before him the Person or Persons who shall be complained of for doing such Damage as last mentioned; and upon hearing the Allegations and Proofs upon both Sides, or upon the Non-appearance of the Party or Parties so complained of and summoned, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal of the Party or Parties to pay such Sum or Sums of Money so awarded within three Days after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods and Chattels, the Surplus (if any) arising by such Distress and Sale to be paid to him, her, or them on Demand.

Trustees may contract for lighting the Hamlet, &c.

XXIII. And, for the better carrying the Purposes of this Act into Execution, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorized and empowered, from Time to Time, if they think fit, to contract with any fit Person or Persons for lighting the said Hamlet; all which Contracts shall specify the Number of Lamps to be set up, and how long, and in what Manner, the same shall be kept burning, and the Prices to be paid for the same, and the Penalties to be suffered in case of Non-performance of such Contract or Contracts; and the same shall be signed by the said Trustees, or any five or more of them, and by the Person or Persons contracting to perform such Works; and the said Trustees, or any five or more

more of them, are hereby authorised and impowered to pay such Sum or Sums of Money, for such respective Works as they shall so contract and agree for, out of any of the Rates or Assessments which shall be made, raised, or collected by virtue of this Act.

XXIV. And be it further enacted by the Authority aforesaid, That in case any Person or Persons who shall enter into such Contract with the said Trustees for performing any of the Works before mentioned, and who shall not well and sufficiently perform the same according to the true Tenor and Meaning of such Contract or Contracts, or shall not finish and complete the Work within the Time or Times that the same is agreed to be completed by the said Contract or Contracts; that then it shall and may be lawful to and for the said Trustees, or any five or more of them, in the Names of any two or more of them, to bring an Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting as aforesaid, and who shall neglect to perform such Contract or Contracts, and for any Penalty or Penalties which shall be contained in any such Contract or Contracts, and on proving the signing such Contract or Contracts, and Nonperformance thereof, the said Trustees, or any five or more of them, shall be intitled to and shall recover such Penalty or Penalties, and the same, when recovered, shall be applied towards the Purposes of this Act.

XXV. And be it further enacted, That from and after the passing of this Act, the Right and Property of all Lamps, Lamp-irons, and other Furniture thereof, which shall be erected or fixed by virtue of this Act, shall be and the same are hereby vested in the said Trustees; and they, or any five or more of them, are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions in the Name of their Treasurer or Clerk, or to prefer any Bill or Bills of Indictment (as the Case shall require), against any Person or Persons who shall break, spoil, injure, damage, steal, take, or carry away, any of the said Lamps, Lamp-irons, or other Furniture.

XXVI. And be it further enacted, That in all Cases where the said Trustees, or any five or more of them, are impowered to do any Act whatsoever by virtue of this Act, the same shall be done at some public Meeting of the said Trustees to be held in pursuance of this Act, and not otherwise; and whenever it shall happen at any such Meeting that there shall be an Equality of Votes of the said Trustees then present, the Chairman in every such Case shall have the casting Vote.

XXVII. Provided always, That two Trustees shall be sufficient to meet for the Purpose of Adjournment only: And in case it shall at any Time happen that no Adjournment of the Trustees shall be made according to the Directions of this Act; that then, and in every such Case, as often as it shall so happen, it shall and may be lawful for the said Trustees, or any five or more of them, to meet at any House or Place within the said Hamlet, ten Days Notice in Writing being first affixed upon the Chapel Door of the said Hamlet, appointing the Time and Place of such Meeting; and the said Trustees, or any five or more of them, shall and they are hereby authorised and impowered to meet pursuant to such Notice, and shall proceed to the Execution of this Act, and afterwards from Time to Time adjourn to such Time and Place as they shall think fit.

XXVIII. And be it further enacted, That it shall and may be lawful for any Trustee appointed, or to be appointed, to put this Act in Execution, who is or shall be in the Commission of the Peace for the County of *Middlesex*, to act as a Justice of the Peace within his Jurisdiction, for putting in Execution the several Powers and Authorities granted by this Act, notwithstanding his being a Trustee.

XXIX. And be it further enacted by the Authority aforesaid, That this Act shall commence and take place upon the second *Monday* next after the passing thereof.

XXX. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

XXXI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or incurred, for the Recovery and Application whereof no particular Method is already directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any two Justices of the Peace for the said County of *Middlesex*; which Warrants such Justices are hereby impowered and required to issue upon the Information of one or more Witnesses or Witnesses upon Oath (which Oath such Justices are hereby impowered and required to administer without Fee or Reward); and such Penalties and Forfeitures, when recovered, after rendering the Overplus (if any) upon Demand to the Party or Parties whose Goods and Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted, shall go and be applied to and for such of the Purposes of this Act as the said Trustees, or any five or more of them, shall think fit.

XXXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves aggrieved by any Rate or Assessment to be made as aforesaid, he, she, or they shall notwithstanding be obliged to pay such Rate or Assessment, and then upon an Appeal to the General Quarter Sessions of the Peace to be holden for the said County of *Middlesex*, next after the Payment of such Rate or Assessment, or next after making the Distress for such Rate or Assessment (fourteen Days Notice of such Appeal having been given to the said Trustees), it shall and may be lawful for the Justices of the Peace, or the major Part of them then assembled, to cause so much Money to be returned to the Appellant or Appellants as shall appear to the said Justices to have been overpaid by such Appellant or Appellants respectively, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to all Parties; and also if any Person or Persons shall think him, her, or themselves aggrieved by any other Thing done in pursuance of this Act, he, she, or they may appeal as aforesaid, within six Calendar Months next after the Cause of Complaint shall arise; and it shall and may be lawful for the said Justices, or the major Part of them assembled in such Sessions, to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them in their Discretion shall seem reasonable; and by their Order or Warrant to levy the Costs which shall be so awarded

Persons entering into Contracts, and not fulfilling the same, may be sued.

Lamps, &c. vested in the Trustees.

All Business to be done at public Meetings.

Two Trustees may adjourn. How to proceed in case of no Adjournment.

Trustees who are Justices may act as such, for the Purposes of this Act.

Commencement of the Act.

Writings not to be charged with Stamp duty.

How Penalties and Forfeitures may be recovered and applied.

Persons aggrieved may appeal to the Quarter Sessions.

Determinations of the Justices to be final.

How Expences of Prosecutions are to be paid.

Proceedings not to be quashed for Want of Form, nor removeable by Certiorari.

No Plaintiff to recover if Tender of Amends be made.

Limitation of Actions.

General Issue.

Treble Costs.

Publick Act.

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 of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale; all which Determinations of the said Justices shall be final and conclusive to all Parties concerned.

XXXIII. And be it further enacted, That the said Trustees, or any five or more of them, are hereby authorised and impowered, at any publick Meeting, from Time to Time, to appoint such Person or Persons as they shall think fit effectually to carry on Prosecutions for Offences committed against this Act; and that in case any Action or Prosecution shall be commenced or prosecuted for any Offence committed against this Act under the Authority and by the Direction of the said Trustees, or any five or more of them, as aforesaid, that then the said Trustees, or any five or more of them, at some publick Meeting as aforesaid, shall, out of the Monies arising by any Rate or Assessment to be made by virtue of this Act, or out of the Money that shall be borrowed upon the Credit thereof, allow and pay to the Prosecutor so much as the Costs allowed by Law shall fall short of reimbursing him his just and reasonable Expences: And that if any Action, Suit, or Prosecution, Rule, or Order of Court, shall be brought, commenced, prosecuted, or obtained, against any of the said Trustees, or any of their Collectors or other Officers, for any Thing done or acted by the Direction of the said Trustees, or any five or more of them, as aforesaid, in pursuance of this Act; that then, and in every such Case, the said Trustees, or any five or more of them, as aforesaid, shall, out of the Money arising by any of the Rates or Assessments to be made by virtue of this Act, or out of the Money that shall be borrowed on the Credit thereof, allow and pay to such Trustee or Trustees, their Collectors or other Officers, all such reasonable Costs, Charges, and Expences, as they, or any of them, shall or may sustain or be put unto by reason or means thereof.

XXXIV. And be it further enacted, That no Order, Conviction, Judgment, or other Proceeding to be had or made in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster, any Law or Statute to the contrary notwithstanding; and when any Distress shall be made for any Sum or Sums of Money to be levied by 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 Want of Form in or Defect of the Summons, Conviction, Notice, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full satisfaction for the special Damages in an Action upon the Case.

XXXV. Provided always, nevertheless, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity as aforesaid, Trespas, or other wrongful Proceeding, by virtue of this Act, if Tender of Amends shall be made by or on Behalf of the Party or Parties who shall or may commit, or cause to be committed, any such Irregularity, Trespas, or other wrongful Proceeding, before such Action brought.

XXXVI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of this Act, such Action shall be commenced within six Calendar Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of Middlesex, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act: And if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

XXXVII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

C A P. XLIV.

An Act to continue, for a limited Time, so much of an Act made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Sum of Money, to be raised by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of England trading to the East Indies*, as obliges the said Company to export annually Goods and Merchandises of the Growth, Product, or Manufacture of *Great Britain* to their Settlements in the *East Indies* to a certain Value.

Preamble. Act 13 Geo. III.

WHEREAS it is expedient that the Provisions in an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Sum of Money, to be raised by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of England trading to the East Indies*, by which the said Company are required to export annually, during the Term of two Years, Goods and Merchandises, of the Growth, Produce, or Manufacture of *Great Britain*, to the *British* Settlements within the Limits prescribed by the said Company's Charter, for their carrying on an exclusive Trade in the *East Indies*,

or elsewhere, to a certain Value, should be continued for a further Time; be it therefore enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during the Term of three Years, to be computed from the twenty-ninth Day of *September*, one thousand seven hundred and seventy-five, the said United Company, or their Successors, shall, and are hereby required to export from *Great Britain*, in each and every Year, during such Term, to the *British* Settlements within the Limits prescribed by the said Company's Charter, for their carrying on an exclusive Trade in the *East Indies*, or elsewhere, upon the Account of the said Company, or their Successors, in their Course of Trade, exclusive of what may be exported by their Servants or private Traders licensed by the said Company, or their Successors, such Goods and Merchandises, of the Growth, Produce, or Manufacture of *Great Britain*, as shall amount in Value to the Sum of three hundred eighty thousand eight hundred and thirty-seven Pounds in each and every such Year; but the Amount of the Value of the Military and Naval Stores so exported shall not be esteemed or reckoned as Part of the said Sum of three hundred eighty thousand eight hundred and thirty-seven Pounds *per Annum*; and the said Company, or their Successors, shall, on or before the first Day of *June*, one thousand seven hundred and seventy-six, and on or before the first Day of *June*, one thousand seven hundred and seventy-seven, and on or before the first Day of *June*, one thousand seven hundred and seventy-eight, give Security, by Bond, to his Majesty, his Heirs and Successors, under the Common Seal of the said Company, or of their Successors, in the penal Sum of Double the said Sum of three hundred eighty thousand eight hundred and thirty-seven Pounds, for the due Exportation of the said Goods and Merchandises annually, to the Amount of the said Sum of three hundred eighty thousand eight hundred and thirty-seven Pounds, according to the real Value of such Goods and Merchandises in this Kingdom at the Time of such Exportation, or of the Purchase thereof, by or on the Behalf of the said Company, or their Successors; which Security the High Treasurer or the Commissioners of his Majesty's Treasury for the Time being, or any three or more of such Commissioners, is or are hereby authorised to take; and the said Company, or their Successors, shall, on or before the thirty-first Day of *October*, one thousand seven hundred and seventy-six, and on or before the thirty-first Day of *October*, one thousand seven hundred and seventy-seven, and on or before the thirty-first Day of *October*, one thousand seven hundred and seventy-eight, deliver to the said High Treasurer or Commissioners, an Account in Writing, signed by two or more of the Directors of the said Company for the Time being, specifying the particular Goods and Merchandises which shall have been so exported in every such Year, in pursuance of and according to the true Intent and Meaning of this Act, with the said true and real Values of such Goods and Merchandises, with the Names of the Ships in which the same were respectively so exported; and which Account shall be verified on Oath, made before any one Justice of the Peace (whom Oath such Justice is hereby authorised and required to administer), by the proper Officers or Servants of the said Company, or their Successors, who shall keep their Books for the Entry of Goods outwards, to the best of their Knowledge: And if it shall appear to the Satisfaction of the said High Treasurer or Commissioners, that Goods and Merchandises shall have been agreeably to the Directions of this Act exported as aforesaid in the respective Year, in relation whereto each Bond shall have been so given; then, in each and every such Case, the said High Treasurer or Commissioners shall cause such Bond to be delivered up; but in case no such Account shall be delivered, as herein-before mentioned, or if it shall appear that the said Goods and Merchandises exported within the Term mentioned in any such Bond shall not have amounted to any such Value as aforesaid, or that any such Account shall appear not to be truly made, it shall and may be lawful for the said High Treasurer or Commissioners to cause each and every such Bond to be prosecuted according to Law, unless he or they shall find sufficient Cause to forbear the same.

II. Provided always, and be it enacted by the Authority aforesaid, That in case the said Company, or their Successors, shall in any one of the said three Years export, or cause to be exported, such Goods and Merchandises, of the Growth, Produce, or Manufacture of *Great Britain*, exceeding in Value the Sum of three hundred eighty thousand eight hundred and thirty-seven Pounds; then, and in such Case, the said Excess shall from Time to Time be taken into the Account of the Exports of such Goods and Merchandises by the said Company, or their Successors, in and for the the next succeeding Year, and shall be allowed and considered as Part thereof.

C A P. XLV.

An Act for allowing the Cloathing and Accoutrements necessary for his Majesty's Forces, paid out of his Majesty's Revenues arising in the Kingdom of *Ireland*, to be exported from thence to the Places where such Forces are ordered to serve, and for granting a Bounty upon Flax Seed imported into *Ireland* for a limited Time.

WHEREAS a Part of his Majesty's Forces, which are paid out of his Majesty's Revenues arising in the Kingdom of *Ireland* (the Difference between *British* and *Irish* Pay only excepted), do now serve, and may hereafter be ordered to serve, out of the said Kingdom; and it is highly reasonable and fit that the Cloathing and Accoutrements necessary for such Forces should be allowed to be exported from *Ireland* to the Place where they shall so serve; 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 first Day of *August*, one thousand seven hundred and seventy-five, it shall and may be lawful for any Person or Persons inhabiting in the said Kingdom of *Ireland*, to export directly from thence any Cloathing or other Accoutrements, being the Produce and

After Sept. 29, 1775, East India Company to export Goods to a certain Amount, to the British Settlements in India, yearly, for three Years.

Military and Naval Stores not included, Company to give Security of Double the Sum mentioned, for the due Exportation of such Goods.

Treasurer, &c. to take the Security. Account to be given yearly, signed by two Directors, of the Goods exported, &c.

to be verified upon Oath.

Bonds to be delivered up, if duly performed;

but if otherwise, such Bonds to be prosecuted.

Goods exported in one Year above the Value mentioned, to be allowed in the succeeding Year.

Preamble.

After Aug. 1, 1775, Inhabitants of Ireland may export Cloathing, &c. from thence, for

the Use of his Majesty's Troops abroad on Irish Pay, being British or Irish Manufacture.

Masters of Ships to produce Certificates to the proper Officers, that the Shipper had duly exported such Cloathing, &c.

On Failure of such Certificate, the Vessel to be forfeited, &c.

After Jan. 7, 1776, an additional Bounty of 5s. per Hoghead for 2 Years, above the present Bounty, to be allowed on Flax Seed imported into Ireland.

Receiver General of the Customs in England to pay the said Bounty to Importers, on their producing a Certificate from the Collector, &c. where such Flax Seed was imported.

If any Agent of a Regiment, &c. grant a false Certificate,

or erase or counterfeit any Certificate, such Person shall forfeit 500l.

How Forfeitures are to be applied, and where to be paid for.

Manufacture of *Great Britain or Ireland*, for the Use of the said Troops or Forces (paid in Manner before mentioned), to any *British Colony or Plantation in America*, or to any of his Majesty's Forts or Garrisons, or to any Foreign Country, upon his Majesty's Service, any Law or Usage to the contrary notwithstanding.

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Master, or other Person taking Charge of the Ship or Vessel, shall produce to the Collector or proper Officer of the Customs at the Port where such Cloathing and Accoutrements shall be shipped, or intended to be shipped, for Exportation, and also to the Collector or proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate, under the Hand and Seal of the Chief Governor in *Ireland* (which Certificate such Governor is hereby required to grant without Fee or Reward), that Oath had been made by the Shipper of such Cloathing or Accoutrements, before one of his Majesty's Justices of the Peace for the Province from whence such Cloathing and Accoutrements shall be exported, that such Articles (expressing the Number, Quantity, and Species of the same) are of the Product and Manufacture of *Great Britain or Ireland*; and that it has been made appear to his Satisfaction, by a Certificate from the Agent to the Regiment, or Person properly authorised to provide the same, that such Articles are really and *bona fide* designed for the Use of his Majesty's Troops and Forces, paid in Manner before mentioned, and then employed in such Colony or Plantation, or in such Forts, Garrisons, or Foreign Country, as aforesaid, in his Majesty's Service; and on Failure of producing such Certificate from such Chief Governor, such Cloathing or other Accoutrements found on Board any such Ship or Vessel, and the Vessel importing the same, shall be liable to be seized and forfeited in the same Manner as they would have been subject and liable to if this Act had not been made, any Thing herein before contained to the contrary notwithstanding.

III. And whereas, by virtue of an Act of Parliament made in *Ireland*, in the third Year of his Majesty's Reign, a Premium or Bounty of five Shillings per Hoghead is now allowed and paid out of the Revenue of that Kingdom, upon the Importation of Flax Seed, which Bounty is not at this Time sufficient to answer the good Purposes intended thereby; and it is expedient that some further Encouragement should be given, for a limited Time, to induce the Importation of Flax Seed into *Ireland*, in order to promote and encourage the Linen Manufactures of that Kingdom; be it therefore enacted by the Authority aforesaid, That from and after the first Day of *January*, one thousand seven hundred and seventy-six, for and during the Space of two Years, and from thence to the End of the then next Session of Parliament, a further Bounty of five Shillings per Hoghead shall be allowed for all Flax Seed imported into the Kingdom of *Ireland*; and it shall and may be lawful for the Commissioners of his Majesty's Customs in *England*, or any four or more of them, to order the said Bounty hereby granted to be paid by the Receiver General of the Customs, out of any Money in his Hands arising by any of the Duties or Revenues under their Management, to the Importer or Importers of such Flax Seed, or to his or their Assigns duly authorised to receive the same; upon his or their producing a Certificate, under the Hand and Seal of Office of the Collector and Comptroller of the Customs at the Port in *Ireland* where such Flax Seed was imported and landed, certifying the Number of Hogheads so landed, with the Name of the Ship and Master in which, and the Place from whence, and by whom, and at what Time, the same was imported; and that the Bounty granted by the before-mentioned Act of Parliament, made in *Ireland*, had been paid and allowed for the same.

IV. And it is hereby further enacted by the Authority aforesaid, That if the Agent of any Regiment, or Person authorised to provide the before-mentioned Cloathing and Accoutrements, or any Officer of the Customs, shall give or grant any false Certificate for any of the Purposes required or directed by this Act, such Person or Persons shall forfeit the Sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his Heirs or Successors, in any Office whatsoever; and if any Person or Persons shall counterfeit, erase, alter, or falsify, any Certificate required or directed by this Act, or shall knowingly or wilfully make use of any false Certificate, or of any Certificate so counterfeited, erased, altered, or falsified, such Person or Persons shall, for every such Offence, forfeit the Sum of five hundred Pounds; and every such Certificate shall be invalid and of no Effect; one Moiety of which Penalty shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Officer or Officers of the Customs as shall sue or prosecute for the same, in any of his Majesty's Courts of Record at *Westminster* or *Dublin*, or in any Court of Admiralty having Jurisdiction in his Majesty's Colonies or Islands respectively where the Offence shall be committed.

C A P. XLVI.

An Act for amending and rendering more effectual an Act, passed in the eleventh Year of his present Majesty's Reign, intituled, *An Act for regulating and improving the Fisheries in the River Tweed, and the Rivers and Streams running into the same, and also within the Mouth or Entrance of the said River.*

Preamble.
Act 11 Geo. III.

WHEREAS in and by an Act, made in the eleventh Year of the Reign of his present Majesty, intituled, *An Act for regulating and improving the Fisheries in the River Tweed, and the Rivers and Streams running into the same, and also within the Mouth or Entrance of the said River*, certain Provisions and Regulations were established for the Preservation and Improvement of the Fisheries in the said River *Tweed*: And whereas the said Provisions and Regulations have proved very beneficial to the Owners and Proprietors of Fisheries in the said River, and the Rivers and Streams running into the same, and have greatly contributed to the Preservation of the Fish therein: But whereas several Incon-

veniencies

'veniencies and Defects have occurred in the Execution of the said Act;' for Remedy whereof, and in order to amend and render the said Act more effectual, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twelfth Day of *May*, one thousand seven hundred and seventy-five, if any Person or Persons shall fish for any Salmon, Gilse, Salmon Trout, or Whiting, in the said River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice, or Cut, which communicates with the said River *Tweed*, at any Time or Times between the tenth Day of *October* and the tenth Day of *January* in any Year, or between Ten of the Clock on *Saturday* Night and Two of the Clock on *Monday* Morning; or shall, at any Time or Times after the said twelfth Day of *May*, fish for any Salmon, Gilse, Salmon Trout, or Whiting, within the Mouth or Entrance of the said River *Tweed*; every such Person or Persons so fishing shall, for every such Offence, forfeit any Sum not exceeding the Sum of ten Pounds, nor less than forty Shillings, at the Discretion of the Justice or Sheriff-depute by whom such Offender or Offenders shall be convicted, together with the Boats, Tackle, Nets, Engines, and all other Devices made use of in fishing for any such Fish; and all such Boats, Tackle, Nets, Engines, and other Devices, so forfeited, shall be cut to Pieces, burnt, or otherwise destroyed, by the Direction of the Justice or Sheriff-depute by whom such Offender or Offenders shall be convicted.

After May 12, 1775, Persons fishing Salmon, &c. within the River Tweed, &c. between Oct. 10, and Jan. 10, shall forfeit, for each Offence, not exceeding 10 l. nor less than 40 s. and the Boats, Nets, &c. to be destroyed.

Nets or Engines found in the River, &c. to be destroyed.

II. And be it further enacted by the Authority aforesaid, That if any Ring Net, Bob Net, or any other Engine or Device whatsoever, shall be placed in the said River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice, or Cut, which communicates with the said River *Tweed*, at any Time or Times between the said tenth Day of *October* and the tenth Day of *January* in any Year (the Placer or Setter of which Ring Net, Bob Net, or other Engine or Device, is unknown and cannot be found), it shall and may be lawful to and for any Person or Persons to seize the same, and with all convenient Speed to carry the same before any Justice of the Peace, or Sheriff-depute, for the Liberty or Place where the said Net, Engine, or other Device, shall have been found standing; and if, upon due Proof made thereof, the said Net or Nets, Engine, or other Device, shall be found by the said Justice or Sheriff-depute to have been placed in the said River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice or Cut, which communicates with the said River *Tweed*, contrary to the Intent and Meaning of the said former and this present Act, it shall and may be lawful to and for the said Justice or Sheriff-depute to cause the same in his Presence to be cut to Pieces, burnt, or otherwise destroyed.

III. And be it further enacted, That from and after the said twelfth Day of *May*, if any Person or Persons shall have in his, her, or their Custody or Possession, any Salmon, Gilse, Salmon Trout, or Whiting, at any Time or Times between the tenth Day of *October* and the tenth Day of *January*, in any Year, the Proof that such Salmon, Gilse, Salmon Trout, or Whiting, was not taken or killed within the said River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice or Cut, which communicates with the said River *Tweed*, between the said tenth Day of *October* and the tenth Day of *January*, shall lie upon the Person or Persons in whose Custody or Possession any such Salmon, Gilse, Salmon Trout, or Whiting, shall be found, between the said tenth Day of *October* and the tenth Day of *January*, or otherwise such Salmon, Gilse, Salmon Trout, or Whiting, shall be deemed, within the Meaning of the said former Act, to have been taken or killed in the said River *Tweed*, or in some River, Rivulet, Brook, or Stream, or in some Mill Pool, Mill Lead, Sluice or Cut, which communicates with the said River *Tweed*; and the Person or Persons in whose Custody or Possession such Fish shall be so found, within the Time aforesaid, shall forfeit and pay, and be liable to the same Penalty or Penalties which he or they would have forfeited and paid, and would have been liable to by virtue of the said former Act, in case he or they had taken or killed such Fish in the said River *Tweed*, or in some River, Rivulet, Brook, or Stream, or in some Mill Pool, Mill Lead, Sluice or Cut, which communicates with the said River *Tweed*, between the said tenth Day of *October* and the tenth Day of *January*.

Persons in whose Custody any Salmon, Gilse, &c. shall be found during the Time aforesaid, to prove that the same was not taken in the Tweed; otherwise such Fish shall be deemed to have been taken in the said River; and the Persons shall be liable to the Penalties by the former Act.

IV. And be it further enacted, That all Justices of the Peace within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, and all Justices of the Peace, or Sheriffs-depute, within that Part of *Great Britain* called *Scotland*, shall and may act as Justices of the Peace, or Sheriffs-depute respectively, in the Execution of the said former or this present Act, for the County, Shire, Liberty, or Place, where any Offender or Offenders against the said former or this present Act shall be or reside, notwithstanding such Justices or Sheriffs-depute are interested in the Fisheries of the said River *Tweed*.

Justices, &c. may act as such, notwithstanding their being interested in the Fisheries.

V. And be it further enacted by the Authority aforesaid, That the Conviction and Convictions, Adjudication and Adjudications, of all and every Offender or Offenders against this Act, within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, shall be certified by the Justice or Justices of the Peace, by or before whom the same shall be made, to the next General Quarter Sessions of the Peace to be held for the County or Place where the Offender shall be convicted, and shall be filed amongst the Records of the said Sessions; and such Conviction and Adjudication shall be in the following Form of Words, or to the like Effect (that is to say):

Convictions of Offenders to be certified by the Justices to the next Quarter Sessions.

To wit, { **BE** it remembered, That on the _____ Day of _____ in the Year _____ *A. B.* was, upon the Complaint of *C. D.* convicted before me, [or us, specifying the Offence] in pursuance of an Act, passed in the fifteenth Year of the Reign of his Majesty King *George the Third*, For amending and rendering more effectual an Act, passed in the eleventh Year of his present Majesty's Reign, intituled, *An Act for regulating and improving the Fisheries in the River Tweed,*

Form of Conviction.

‘ Tweed, and the Rivers and Streams running into the same, and also within the Mouth or Entrance of the said River: And he is hereby adjudged to have forfeited for the said Offence the Sum of

‘ Given under my [or our] Hand and Seal [or Hands and Seals, as the Case shall happen], the Day and Year above written.’

Conviction to be valid, and not removable by Certiorari.

Penalties and Forfeitures how to be recovered.

Powers, &c. of the former Act extended to this Act.

Limitation of Actions.

General Issue.

Treble Costs.

Limitation of Actions in Scotland.

Publick Act.

Which said Conviction and Adjudication shall be good and valid in the Law to all Intents and Purposes, and shall not be quashed, set aside, or judged void or insufficient, for want of Form only; and shall not be liable to be removed by *Certiorari* into his Majesty's Court of *King's Bench*, but shall be deemed and taken to be final to all Intents and Purposes whatsoever.

VI. And be it further enacted, That all the Penalties and Forfeitures imposed by this Act shall and may be recovered and levied in the same Manner, before the same Justices or Sheriffs-depute respectively, and within the said Time, and with the same Power of Appeal, as any Penalties or Forfeitures imposed by the said former Act can or may be recovered or levied by virtue thereof; and that all the Clauses, Powers, and Authorities, contained in the said former Act, shall be deemed and taken to extend and shall extend to this Act, as fully and effectually as if the same were herein again repeated and re-enacted; and that nothing in this Act contained shall extend, or be construed to extend, to set aside or repeal any Penalties imposed by the said former Act, for Offences committed against the said former Act.

VII. And be it further enacted, That no Action at Law shall be brought or commenced against any Person or Persons, for any Thing done or to be done by virtue of this Act, within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, until after fourteen Days Notice thereof in Writing shall be given to the Person or Persons against whom such Action shall be intended to be so brought, or left at his or their last or usual Place of Abode, setting forth the Cause of such Action; and that every Action brought for any Thing done, or to be done, as aforesaid, shall be brought within the Space of six Calendar Months next after the Cause of Complaint shall arise, and shall be laid and tried in the County or Place where the Fact was committed, and not elsewhere; and the Defendant or Defendants therein 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 by virtue hereof; and if on the Trial of such Action it shall appear that the same was brought before the Expiration of fourteen Days next after such Notice shall have been so given or left as aforesaid, or after the End of six Calendar Months next after the Cause thereof shall have arisen; or if such Action shall be brought or laid in any other County or Place than as aforesaid, or after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved; that then, and in any of the Cases aforesaid, the Jury shall find for the Defendant or Defendants therein: And in all Cases where any Verdict shall be found for any Defendant or Defendants in such Action; or if the Plaintiff or Plaintiffs shall discontinue the same, after the Defendant or Defendants shall have appeared, or shall be non-suited; or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants in such Action shall have treble Costs, and have the like Remedies for recovering the same, as Defendants have for recovering their Costs in other Cases by Law.

VIII. And be it also enacted by the Authority aforesaid, That no Action shall be brought against any Person or Persons, for any Thing done or to be done by virtue of this Act, or by virtue of the said former Act, made in the eleventh Year of the Reign of his present Majesty, within that Part of *Great Britain* called *Scotland*, unless such Action shall be commenced within the Space of six Calendar Months next after the Cause of Complaint shall arise; and in all such Actions the Defendant or Defendants, if absolved or acquitted from the Action, shall have and be intitled to their full Costs of Suit.

IX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. XLVII.

An Act for enabling his Majesty to license a Playhouse in the Town of *Manchester*, in the County Palatine of *Lancaster*.

Preamble.

‘ WHEREAS it may be proper that a Playhouse should be licensed in the Town of *Manchester*, in the County Palatine of *Lancaster*; 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 an Act of Parliament, which passed in the tenth Year of his late Majesty's Reign (intituled, *An Act to explain and amend so much of an Act, made in the twelfth Year of the Reign of Queen Anne*, intituled, “ An Act for reducing the Laws relating to Rogues, Vagabonds, Sturdy Beggars, and Vagrants, into one Act of Parliament; and for the more effectual punishing such Rogues, Vagabonds, Sturdy Beggars, and Vagrants, and sending them whither they ought to be sent;”) as discharges all Persons from representing any Entertainment of the Stage whatever, in virtue of Letters Patent from his Majesty, or by Licence from the Lord Chamberlain of his Majesty's Household for the Time being, except within the Liberties of *Westminster*, or where his Majesty is residing for the Time being, be, and the same is hereby repealed with respect to the said Town of *Manchester*: And that it shall and may be lawful for his Majesty, his Heirs and Successors, to grant Letters Patent for establishing a Theatre or Playhouse within the said Town of *Manchester*; which Theatre or Playhouse shall be intitled to all the Privileges, and subjected to all the Regulations, to which any Theatre or Playhouse in *Great Britain* is intitled and subjected.

Clause in Act to Geo II. repealed, with respect to Manchester.

His Majesty, &c. may grant Letters Patent for establishing a Playhouse in Manchester.

C A P.

C A P. XLVIII.

An Act to continue the Term of an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, *For laying a Duty of Two Pennies Scots upon every Scots Pint of Beer and Ale which shall be sold or vended, brewed, brought in, or tapped for Sale, within the Town of Anstruther Easter, and Liberties thereof.*

WHEREAS by an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second (intituled, *An Act for laying a Duty of Two Pennies Scots upon every Scots Pint of Beer and Ale which shall be sold or vended, brewed, brought in, or tapped for Sale, within the Town of Anstruther Easter, and Liberties thereof*), an Imposition or Duty of Two Pennies Scots, or One-sixth Part of a Penny Sterling (over and above the Duty of Excise paid and payable to his Majesty, his Heirs or Successors), was granted and laid upon every Scots Pint of Ale and Beer that should be either brewed, brought in, tapped, or sold, within the said Town of *Anstruther Easter*, or the Liberties thereof, and the said Duty is directed to be applied to the Purposes, and levied in the Manner, mentioned in the said Act; and which is declared to take place, and to have Continuance only, from and after the first Day of *August*, one thousand seven hundred and forty-nine, for and during the Term of twenty-five Years, and to the End of the then next Session of Parliament: And whereas the Purposes for which the said Duty was granted are not yet completed, and the aforesaid Act being now almost expired, a Prolongation of the same would be of great Advantage to the Community of the said Burgh of *Anstruther Easter*, and to the Publick; 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 Imposition or Duty, granted and made payable by the said recited Act, upon Ale and Beer, that shall be either brewed, brought in, tapped, or sold, within the said Town of *Anstruther Easter*, or Liberties thereof, shall, from and after the Expiration of the Term granted by the said Act, be further continued, raised, levied, collected, paid, and made payable, to the Magistrates and Town Council of the Borough of *Anstruther Easter*, and their Successors in Office for the Time being, and their Assigns, or to such Collectors or Receivers as shall at any Time, during the Continuance of this present Act, be by them, or the major Part of them, appointed and impowered, for the Use and Behoof of the said Borough, for the further Term of twenty-five Years, and from thence to the End of the then next Session of Parliament.

Preamble.

Act 22 Geo. II. recited,

and further continued for 25 Years.

II. And be it further enacted by the Authority aforesaid, That the aforesaid Imposition or Duty shall, during the additional Term granted by this Act, be raised, levied, and collected, from the same Persons, and by the same Means and Methods, and under the same Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the same Uses and Purposes; and that the said Magistrates and Town Council of the said Borough of *Anstruther Easter* be and continue Trustees for such Application, with the same Powers, and subject to the same Rules and Directions, as are mentioned and prescribed in the said recited Act; and that the said Act, and every Article, Rule, Clause, Matter, and Thing, therein contained, shall be of the same Force and Effect, to all Intents and Purposes, for raising, collecting, securing, and levying, the said Imposition or Duty, and for applying the same for the Uses and Purposes mentioned in the said recited Act, so far as these are not already executed, for and during the additional Term of Years for which the same are hereby granted, as fully and effectually as if the said recited Act was particularly and at large repeated and re-enacted in the Body of this present Act, except as is herein after mentioned.

The aforesaid Duty, during the additional Term, to be raised and applied in the same Manner, and the Magistrates, &c. to continue Trustees, with the same Powers, &c. as are granted in the former Act.

III. And be it further enacted by the Authority aforesaid, That from and after the Commencement of this present Act, and during the Continuance thereof, it shall not be lawful for any Brewer or Seller of Beer or Ale, living or carrying on his or her Brewery without the said Borough of *Anstruther Easter*, and Liberties thereof, to import or sell any Beer or Ale into or in the said Borough, or Liberties thereof, unless he, she, or they, do previously give Notice to the Magistrates of the said Borough, or their Collector of the said Duty, at his Office, and agree to be subjected to and charged with the Payment of the said Duty, for all the Beer and Ale which shall be brewed by such Brewer or Seller of Beer or Ale, living or carrying on his, her, or their Brewery without the said Borough and Liberties thereof; and that every such Brewer or Seller of Beer or Ale, who shall import or sell any Ale or Beer into or in the said Borough, and Liberties thereof, without having given such previous Notice, and agreed, as aforesaid, being thereof duly convicted before any two or more of his Majesty's Justices of the Peace, shall be charged with and liable to the Payment of the said Duty to the Provost, Magistrates, and Town Council of the said Borough, or their Collector, for all Ale and Beer brewed by him, her, or them, for the Space of twelve Months immediately preceding his, her, or their committing such Offence, and in all Times thereafter during the Continuance of this Act.

No Brewer without the Borough may bring in Beer, &c. for Sale, unless he give previous Notice, and agree to pay the Duty.

Penalty for offending.

IV. And be it further enacted by the Authority aforesaid, That besides the Remedies and Execution granted and provided by the said recited Act, for levying, recovering, and making effectual, the several Rates, Duties, and Impositions, hereby granted and continued, the said Provost, Magistrates, and Town Council, and their Collectors, shall, from and after the Commencement of this present Act, and during the Continuance thereof, be intituled to use all such other Methods, Remedies, and Execution, against the Person or Persons neglecting or refusing to pay the said Rates, Duties, and Impositions, as is competent by the Law of *Scotland* to the Magistrates and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of such Burghs.

Besides the Remedies formerly granted for levying the Duties, every other Remedy competent by the Law of *Scotland* may be used.

V. And

Persons appointed to be Overseers of the Duty, &c. by this Act.

V. And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, Sir *John Anstruther* of *Anstruther* Baronet, *Philip Anstruther* the younger of *Anstruther* Esquire, *John Anstruther* Esquire, second Son to Sir *John Anstruther* Baronet, *Robert Fall* Esquire, *John Lumsdaine* of *Blairn* Esquire, and *Andrew Johnston* of *Rennayhill* Esquire, the Knight of the Shire to serve in Parliament for the County of *Fife* for the Time being, and the Burgesses to serve in Parliament for the Time being for the District of Boroughs whereof *Anstruther Easter* is one, or any three or more of them, shall be and are hereby appointed Overseers of the Imposition or Duty hereby continued and granted, in Place and Stead of the Overseers appointed by the above recited Act; and shall have, and are hereby vested with, the same Powers, and under the same Regulations, as are in and by the said above-recited Act granted and given to the said former Overseers, as well as all the other Powers hereby made and given; any Thing in the said former Act or herein contained to the contrary notwithstanding.

Provost, Bailies, &c. to make up Accounts annually,

and to give Notice of the Meeting of the Overseers, and that the Account is deposited in the Town Clerk's Office, &c.

Publick Act.

VI. Provided always, and be it enacted by the Authority aforesaid, That the Provost, Bailies, and Council, of the said Town of *Anstruther Easter*, and their Successors for the Time being, shall, and they are hereby directed and required to state and make up, annually, to the twenty-fourth Day of *June* in each Year, an Account of their Receipts and Disbursements, under and by virtue of the said recited and of this present Act, and to leave and deposit the Account, so annually stated and made up (signed and certified by the Provost or eldest Baillie for the Time being), at the Office of the Town Clerk of the said Borough of *Anstruther Easter*, open for the Inspection of every Person having an Interest in the same, three Weeks at least before the first *Wednesday* of *August* in every Year; and also to give edictal Notices, in the usual Manner, at the Church Door of *Anstruther Easter*, on each of the two *Sundays* immediately preceding the first *Wednesday* of *August* in every Year, for the annual Meeting upon such first *Wednesday* of *August* respectively of the Overseers by this Act appointed, and with Notice of the Deposition at the Town Clerk's Office of the Account for the preceding Year open for the Inspection of the said Overseers, and of every other Person having an Interest in the same.

VII. And be it further enacted by the Authority aforesaid, That this present Act shall be deemed and held to be a Publick Act; and shall be judicially taken Notice of as such in all Courts of *Great Britain*, and by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. XLIX.

An Act for taking down the Church of *All Saints*, in the Town of *Fulbourne*, and County of *Cambridge*; and for the better repairing, and keeping in Repair, the Church of *Saint Vigors* in the said Town.

C A P. L.

An Act to enable the Inhabitants of the Parish of *Saint Paul Covent Garden*, in the County of *Middlesex*, to purchase or hire a convenient Piece of Ground, for the Purpose of erecting a Workhouse thereon for the Reception and Employment of the Poor of the said Parish; and for providing an additional Burial Ground for the Use of the said Parish.

C A P. LI.

An Act to restrain the Negotiation of Promissory Notes and Inland Bills of Exchange under a limited Sum, within that Part of *Great Britain* called *England*.

Preamble.

WHEREAS various Notes, Bills of Exchange, and Draughts for Money for very small Sums, have for some Time past been circulated or negotiated in lieu of Cash within that Part of *Great Britain* called *England*, to the great Prejudice of Trade and Publick Credit; and many of such Bills and Draughts being payable under certain Terms and Restrictions, which the poorer Sort of Manufacturers, Artificers, Labourers, and others, cannot comply with otherwise than by being subject to great Extortion and Abuse; 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 Promissory or other Notes, Bills of Exchange, or Draughts, or Undertakings, in Writing, being negotiable or transferable, for the Payment of any Sum or Sums of Money less than the Sum of twenty Shillings in the Whole, which shall be made or issued at any Time from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five, shall be, and the same are hereby declared to be, absolutely void and of no Effect, any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

After June 24, 1775, all Promissory Notes, &c. for less than 20s. to be of no Effect.

Persons uttering such Notes or Bills for less than 20s. &c. shall forfeit not exceeding 20l. nor less than 5l.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five, by any Art, Device, or Means whatsoever, publish or utter any such Notes, Bills, Draughts, or Engagements, as aforesaid, for a less Sum than twenty Shillings, or on which less than the Sum of twenty Shillings shall be due, and which shall be in any wise negotiable, or shall negotiate the same; every such Person shall forfeit and pay, for every such Offence, any Sum not exceeding twenty Pounds, nor less than five Pounds.

III. And be it further enacted, That the Justice or Justices before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be made out in the Manner and Form following (that is to say);

Form of Conviction.

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ *A. B.* having appeared before me, or us, one or more of his Majesty's Justices of the Peace (as the Case may be) for the County, Riding, District, Division, City, Borough, or Town (as the Case may be),

' be), and due Proof having been made, upon Oath, by one or more credible Witnesses or Witnesses, or by Confession of the Party (as the Case may be), is convicted of (specifying the Offence).

' Given under my Hand and Seal (or our Hands and Seals) the Day and Year aforesaid.'

Which Conviction the said Justice or Justices shall cause to be fairly written over upon Parchment, and returned to the then next General Quarter Sessions of the Peace of the County, Riding, District, Division, City, Borough, or Town, where such Conviction was made, to be filed by the Clerk of the Peace, to remain and be kept among the Records of such County, Riding, District, Division, City, Borough, or Town.

Conviction to be returned to the next General Quarter Sessions.

IV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Clerk of the Peace for any County, Riding, District, Division, City, Borough, or Town, and he is hereby required, upon Application made to him by any Person or Persons for that Purpose, to cause a Copy or Copies of any Conviction or Convictions, filed by him under the Directions of this Act, to be forthwith delivered to such Person or Persons, upon Payment of one Shilling for every such Copy.

Clerks of the Peace to give Copies of Convictions, on Payment of 1 s.

V. And be it further enacted by the Authority aforesaid, That the pecuniary Penalties and Forfeitures hereby incurred and made payable upon any Conviction against this Act, shall be forthwith paid by the Person convicted, as follows; one Moiety of the Forfeiture to the Informer, and the other Moiety to the Poor of the Parish or Place where the Offence shall be committed: And in case such Person shall refuse or neglect to pay the same, or to give sufficient Security to the Satisfaction of such Justice or Justices, such Justice or Justices shall, by Warrant under his or their Hand and Seal, or Hands and Seals, cause the same to be levied by Distress and Sale of the Offender's Goods and Chattels, together with all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner; and which said Warrant of Distress the said Justice or Justices shall cause to be made out in the Manner and Form following; (that is to say),

Persons convicted forthwith to pay the Penalties. How they are to be applied. In case of Refusal to pay, may be levied by Distress.

' To the Constable, Headborough, or Tithingman of

' WHEREAS A. B. of in the County of is this Day convicted before me, or us, one or more of his Majesty's Justices of the Peace (as the Case may be) for the County of or for the Riding of the County of York, or for the Town, Liberty, or District of (as the Case may be), upon the Oath of a credible Witness or Witnesses, or by Confession of the Party (as the Case may be), for that the said A. B. hath (here set forth the Offence), contrary to the Statute in that Case made and provided, by reason whereof the said A. B. hath forfeited the Sum of to be distributed as herein is mentioned, which he hath refused to pay: These are therefore, in his Majesty's Name, to command you to levy the said Sum of by Distress of the Goods and Chattels of him the said A. B.; and if within the Space of five Days next after such Distress by you taken, the said Sum, together with the reasonable Charges of taking the same, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale, that you do pay one Half of the said Sum of to of who informed me, or us, (as the Case shall be) of the said Offence, and the other Half of the said Sum of to the Overseer of the Poor of the Parish, Township, or Place, where the Offence was committed, to be employed for the Benefit of such Poor, returning the Overplus (if any) upon Demand to the said A. B. the reasonable Charges of taking, keeping, and selling the said Distress being first deducted; and if sufficient Distress cannot be found of the Goods and Chattels of the said A. B. whereon to levy the said Sum of that then you certify the same to me, or us (as the Case shall be), together with this Warrant.

Form of the Warrant of Distress.

' Given under my Hand and Seal (or our Hands and Seals) the Day of in the Year of our Lord

VI. And it is hereby further enacted, That it shall and may be lawful for such Justice or Justices to order such Offender to be detained in safe Custody, until Return may conveniently be had and made to such Warrant of Distress, unless the Party so convicted shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his Appearance before the said Justice or Justices, on such Days as shall be appointed by the said Justice or Justices for the Day of the Return of the said Warrant of Distress (such Day not exceeding five Days from the taking of such Security); which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance, or otherwise.

Offender may be detained in Custody, &c. unless he give sufficient Security for his Appearance before the Justice.

VII. And be it further enacted by the Authority aforesaid, That if upon such Return no sufficient Distress can be had, then, and in such Case, the said Justice or Justices shall and may commit such Offender to the Common Gaol or House of Correction of the County, Riding, Division, or Place, where the Offence shall be committed, for the Space of three Calendar Months, unless the Money forfeited shall be sooner paid; or until such Offender, thinking him or herself aggrieved by such Conviction, shall give Notice to the Informer, that he or she intends to appeal to the Justices of the Peace, at the next General Quarter Sessions of the Peace to be holden for the County, Riding, or Place, wherein the Offence shall be committed, and shall enter into Recognizance before some Justice or Justices, with two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of, and pay such Costs as shall be awarded by the Justices

If no Distress can be had, Offenders to be committed for 3 Months, or until Notice be given of an Intention to appeal, &c.

Justices, on Proof of Notice given, to proceed in a summary Way, and their Determination to be final.

Notes, Bills of Exchange, &c. issued before June 24, 1775, for less than 20 s. to be payable on Demand.

If Persons refuse Payment of such Bills, &c. for three Days,

Justices, on Complaint of the Holders, may summon them,

and on their Appearance or Default, &c. shall proceed to determine the Complaint, and award Payment, and such Costs, as to such Justices shall seem meet.

On Refusal to pay, Sum and Costs to be levied by Distress.

No Proceedings for enforcing Payment, &c. to be quashed for want of Form, &c.

No Person to be proceeded against unless Information be made on Oath before a Justice.

Limitation of Actions.

General Issue.

Treble Costs.

Continuance of this Act.

Publick Act.

Justices at such Quarter Sessions (which Notice of Appeal being not less than four Days before the Trial thereof, such Person so aggrieved is hereby impowered to give); and the said Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, and the Determination of such Quarter Session shall be final, binding, and conclusive, to all Intents and Purposes.

VIII. And be it further enacted by the Authority aforesaid, That from and immediately after the passing of this Act, all and every such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, for the Payment of any Sum or Sums of Money less than the Sum of twenty Shillings, and being negotiable or transferrable, as shall have issued previous to the said twenty-fourth Day of *June*, shall be, and they are hereby declared and adjudged to be, payable upon Demand; any Terms, Restrictions, or Conditions, therein contained to the contrary thereof notwithstanding.

IX. And be it further enacted by the Authority aforesaid, That if any Person liable to the Payment of any of such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as last aforesaid, shall neglect or fail to make full Payment in Money of the Sum or Sums for which such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, shall be respectively given or issued, or so much thereof as shall be or remain due thereon respectively, by the Space of three Days after Demand thereof made by the Holder or Holders of such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, it shall and may be lawful for any one or more of his Majesty's Justices of the Peace for the County, Riding, City, Division, or Place, where the Person or Persons respectively so refusing to pay any of such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as last aforesaid, shall or may happen to be or reside, and such Justice or Justices is or are hereby required, upon Complaint made by the Holder or Holders thereof, to summon the Person or Persons against whom such Complaint shall be made; and after his, her, or their Appearance, or in Default thereof, upon due Proof upon Oath (and which Oath such Justice or Justices is or are hereby impowered to administer), of such Summons or Warning having been given, such Justice or Justices shall proceed to hear and determine the said Complaint, and award such Sum to be paid by the Person or Persons respectively liable to the Payment of every such Note, Bill of Exchange, Draught, or Undertaking, in Writing, to the Holder or Holders thereof, as shall appear to such Justice or Justices to be due thereon, together with such a Sum for Costs, not exceeding the Sum of twenty Shillings, as to such Justice or Justices shall seem meet: And if any Person or Persons shall refuse or neglect to pay or satisfy such Sum of Money, as upon such Complaint as aforesaid shall be adjudged, upon the same being demanded, such Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, cause the same to be levied by Distress and Sale of the Goods of the Party so neglecting or refusing as aforesaid, together with all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner.

X. Provided always, That no Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, or for enforcing Payment of such Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as aforesaid, as have issued previous to the passing of this Act, with Costs as aforesaid, shall be quashed for want of Form, or be removed by Writ of *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

XI. Provided also, That no Person shall be proceeded against for any of the Offences against this Act as aforesaid, unless Information shall be made thereof upon Oath before some Justice of the Peace for the County, Riding, Division, or Place, wherein such Offence shall be committed, within twenty Days after such Offence shall be committed.

XII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done or acted in pursuance of this Act, then, and in every such Case, such Action or Suit shall be commenced or prosecuted within three Calendar Months after the Fact committed, and not afterwards; and the same, and every such Action or Suit, shall be brought within the County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought or laid in any other Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action, 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 and may recover treble Costs, and have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have in any other Cases by Law.

XIII. And be it further enacted, That this Act shall continue in Force only for the Term of five Years, and from thence to the End of the then next Session of Parliament.

XIV. And be it further enacted, That this Act shall be taken and allowed to be a Publick Act in all Courts within this Kingdom; and all Judges and Justices of the Peace are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. LII.

An Act for enlarging the Term of Letters Patent, granted by his present Majesty to *William Cookworthy* of *Plymouth*, Chymist, for the sole Use and Exercise of a Discovery of certain Materials for making Porcelain, in order to enable *Richard Champion* of *Bristol*, Merchant, (to whom the said Letters Patent have been assigned) to carry the said Discovery into effectual Execution for the Benefit of the Publick.

WHEREAS his present Majesty King *George* the Third hath been graciously pleased to grant his Royal Letters Patent, under the Great Seal of *Great Britain*, to *William Cookworthy* Chymist, in the Words or to the Effect following; that is to say,

Preamble

GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth: To all to whom these Presents shall come, greeting: Whereas *William Cookworthy*, of *Plymouth*, in Our County of *Devon*, Chymist, has, by his Petition, humbly represented unto Us, that he hath, by a Series of Experiments, discovered, that Materials, of the same Nature with those of which the *Asiatick* Porcelain is made, are to be found in immense Quantities in Our Island of *Great Britain*, which Ingredients are distinguished in Our two Counties of *Devon* and *Cornwall* by the Name of *Moorstone* and *Growan* and *Growan* Clay; that the Ware which he hath prepared from these Materials hath all the Characters of the true Porcelain, in regard to Grain, Transparency, Colour, and Infusibility, in a Degree equal to the best *Chinese* or *Dresden* Ware, whereas all the Manufactures of Porcelain hitherto carried on in *Great Britain* have been only Imitations of the genuine Kind, wanting the Beauty of Colour, the Smoothness and Lustre of Grain, and the great Characteristick of genuine Porcelain, sustaining the most extreme Degree of Fire without melting: That this Discovery hath been attended with great Labour and Expence, and, to the best of his Knowledge and Belief, in regard to this Kingdom, is new, and his own, the Materials being, even at this Time, applied to none of the Uses of Pottery, but by him, and those under his Direction; and that he verily believes this Invention will be of great Advantage to the Publick: He, therefore, most humbly prayed Us, that We would be pleased to grant him Our Royal Letters Patent for the sole making and vending this new-invented Porcelain, composed of *Moorstone* or *Growan* and *Growan* Clay, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and the Town of *Berwick upon Tweed*, for the Space of fourteen Years, according to the Statute in that Case made and provided: We, being willing to give Encouragement to all Arts and Inventions which may be for the Publick Good, are graciously pleased to condescend to the Petitioner's Request: Know ye therefore, that We, of Our especial Grace, certain Knowledge, and meer Motion, have given and granted, and by these Presents, for Us, Our Heirs and Successors, do give and grant unto the said *William Cookworthy*, his Executors, Administrators, and Assigns, Our special Licence, full Power, sole Privilege and Authority, that he, the said *William Cookworthy*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said *William Cookworthy*, his Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time, and at all Times hereafter, during the Term of Years herein expressed, shall and lawfully may make, use, exercise, and vend, his said Invention, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*, in such Manner as to him, the said *William Cookworthy*, his Executors, Administrators, and Assigns, or any of them, shall, in their Discretions, seem meet; and that the said *William Cookworthy*, his Executors, Administrators, and Assigns, shall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time, coming, growing, accruing, and arising, by reason of the said Invention, for and during the Term of Years herein mentioned; to have, hold, exercise, and enjoy, the said Licence, Powers, Privileges, and Advantages, herein before granted, or mentioned to be granted, unto the said *William Cookworthy*, his Executors, Administrators, and Assigns, for and during and unto the full End and Term of fourteen Years from the Date of these Presents next and immediately ensuing, and fully to be complete and ended, according to the Statute in such Case made and provided: And to the End that he the said *William Cookworthy*, his Executors, Administrators, and Assigns, and every of them, may have and enjoy the full Benefit and the sole Use and Exercise of the said Invention, according to Our gracious Intention herein before declared, We do, by these Presents, for Us, Our Heirs and Successors, require and strictly command all and every Person and Persons, Bodies Politick and Corporate, and all other Our Subjects whatsoever, of what Estate, Quality, Degree, Name, or Condition soever they be, within that said Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforesaid, that neither they, nor any of them, at any Time during the Continuance of the said Term of fourteen Years hereby granted, either directly or indirectly, do make Use or put in Practice the said Invention, or any Part of the same, so attained unto by the said *William Cookworthy* as aforesaid, nor in any-wise counterfeit, imitate, or resemble the same; nor shall make, or cause to be made, any Addition thereto, or Subtraction from the same, whereby to pretend himself or themselves the Inventor or Inventors, Devisor or Devisors thereof, without the Licence, Consent, or Agreement of the said *William Cookworthy*, his Executors, Administrators, or Assigns, in Writing, under his or their Hands and Seals, first had and obtained in that Behalf; upon such Pains and Penalties as can or may be justly inflicted on such Offenders for their Contempt of this Our Royal Command; and further to be answerable to the

His Majesty's
Royal Letters
Patent to *William Cookworthy*,
Chymist,
recited.

" said *William Cookworthy*, his Executors, Administrators, and Assigns, according to Law, for his and
 " their Damages thereby occasioned. And moreover, We do, by these Presents, for Us, Our Heirs and
 " Successors, will and command all and singular the Justices of the Peace, Mayors, Sheriffs, Bailiffs,
 " Constables, Headboroughs, and all other Officers and Ministers whatsoever, of Us, Our Heirs and
 " Successors, for the Time being, that they, or any of them, do not, nor shall at any Time hereafter,
 " during the said Term hereby granted, in any-wise molest, trouble, or hinder the said *William Cookworthy*,
 " his Executors, Administrators, or Assigns, or any of them, or his or their Deputies, Servants, or
 " Agents, in or about the due and lawful Use or Exercise of the aforesaid Invention, or any thing re-
 " lating thereto. Provided always, and these Our Letters Patent are and shall be upon this Condition,
 " that if at any Time, during the said Term hereby granted, it shall be made appear to Us, Our Heirs
 " or Successors, or any six or more of Our or Their Privy Council, that this Our Grant is contrary to
 " Law, or prejudicial or inconvenient to Our Subjects in general, or that the said Invention is not a new
 " Invention, as to the publick Use and Exercise thereof, in that said Part of Our Kingdom of *Great Bri-*
 " *tain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforesaid, or not in-
 " vented and found out by the said *William Cookworthy*, as aforesaid; then, upon Signification or Decla-
 " ration thereof, to be made by Us, Our Heirs or Successors, under Our or Their Signet or Privy Seal,
 " or by the Lords and others of Our or Their Privy Council, or any six or more of them, under their
 " Hands, these our Letters Patent shall forthwith cease, determine, and be utterly void to all Intents and
 " Purposes; any Thing herein before contained to the contrary thereof in any-wise notwithstanding.
 " Provided also, That these Our Letters Patent, or any Thing herein contained, shall not extend, or be
 " construed to extend, to give Privilege unto the said *William Cookworthy*, his Executors, Administrators,
 " or Assigns, or any of them, to use or imitate any Invention or Work whatsoever which hath heretofore
 " been found out or invented by any other Our Subjects whatsoever, and publickly used or exercised in
 " that said Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, or Town of
 " *Berwick upon Tweed* aforesaid, unto whom like Letters Patent or Privileges have been already granted
 " for the sole Use, Exercise, and Benefit thereof: It being Our Will and Pleasure, that the said *William*
 " *Cookworthy*, his Executors, Administrators, and Assigns, and all and every other Person and Persons
 " to whom like Letters Patent or Privileges have been already granted as aforesaid, shall distinctly use and
 " practise their several Inventions, by them invented and found out, according to the true Intent and
 " Meaning of the said respective Letters Patent, and of these Presents. Provided likewise, nevertheless,
 " and these Our Letters Patent are upon this express Condition, That if the said *William Cookworthy*, his
 " Executors or Administrators, or any Person or Persons which shall or may at any Time or Times here-
 " after, during the Continuance of this Grant, have or claim any Right, Title, or Interest, in Law or
 " Equity, of, in, or to, the Power, Privilege, and Authority, of the sole Use and Benefit of the said In-
 " vention hereby granted; shall make any Transfer or Assignment, or any pretended Transfer or Assign-
 " ment, of the said Liberty and Privilege, or any Share or Shares of the Benefit or Profit thereof, or shall
 " declare any Trust thereof to or for any Number of Persons exceeding the Number of five; or shall open,
 " or cause to be opened, any Book or Books for publick Subscriptions to be made by any Number of
 " Persons exceeding the Number of five, in order to the raising any Sum or Sums of Money, under
 " Pretence of carrying on the said Liberty or Privilege hereby granted; or shall by him or themselves, or
 " his or their Agents or Servants, receive any Sum or Sums of Money whatsoever of any Number of Per-
 " sons exceeding in the Whole the Number of five, for such or the like Intents or Purposes; or shall
 " presume to act as a Corporate Body; or shall divide the Benefit of these Our Letters Patent, or the
 " Liberty and Privileges hereby by Us granted into any Number of Shares exceeding the Number of five;
 " or shall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatsoever,
 " during such Time as such Person or Persons shall have any Right or Title, either in Law or Equity,
 " in or to the said Premises, which will be contrary to the true Intent and Meaning of a certain Act of
 " Parliament, made in the sixth Year of the Reign of Our late Royal Great Grandfather King *George the*
 " *First*, intituled, *An Act for the better securing certain Powers and Privileges intended to be granted by his*
 " *Majesty, by two Charters, for Assurance of Ships and Merchandises at Sea, and for lending Money upon Bot-*
 " *tomry, and for restraining several extravagant and unwarrantable Practices therein mentioned;* or in case
 " of the said Power, Privilege, or Authority, shall at any Time hereafter become veiled in or in Trust for
 " more than the Number of five Persons, or their Representatives, at any one Time (reckoning Executors
 " or Administrators as and for the single Person whom they represent as to such Interest as they are or
 " shall be intitled to in Right of such their Testator or Intestate); that then, and in any of the said Cases,
 " these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted, shall utterly
 " cease, determine, and become void, any Thing herein before contained to the contrary thereof in any
 " wise notwithstanding. Provided also, That if the said *William Cookworthy* shall not particularly describe
 " and ascertain the Nature of his said Invention, and in what Manner the same is to be performed, by an
 " Instrument in Writing, under his Hand and Seal, and cause the same to be enrolled in Our High Court
 " of Chancery, within four Calendar Months next and immediately after the Date of these Our Letters Pa-
 " tent; that then, these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted,
 " shall utterly cease, determine, and become void, any Thing herein before contained to the contrary
 " thereof in any wise notwithstanding. And lastly, We do by these Presents, for Us, Our Heirs and
 " Successors, grant unto the said *William Cookworthy*, his Executors, Administrators, and Assigns, that
 " these Our Letters Patent, or the Inrolment or Exemplification thereof, shall be in and by all Things good,
 " firm, valid, sufficient, and effectual in the Law, according to the true Intent and Meaning thereof,
 " and shall be taken, construed, and adjudged, in the most favourable and beneficial Sense for the best
 " Advantage of the said *William Cookworthy*, his Executors, Administrators, and Assigns, as well in all
 " Our Courts of Record as elsewhere, and by all and singular the Officers and Ministers whatsoever of

" Us,

“ Us, Our Heirs and Successors, in that Part of Our said Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforesaid, and amongst all and every the Subjects of Us, Our Heirs and Successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the Nature or Quality of the said Invention, or of the Materials thereto conducing and belonging: In Witness whereof, We have caused these Our Letters to be made Patent. Witness Ourself at *Westminster*, the seventeenth Day of *March*, in the eighth Year of Our Reign.”

“ And whereas the said *William Cookworthy* hath, by an Instrument in Writing, under his Hand and Seal, described and ascertained the Nature of the said Invention, and the Manner in which the same is to be performed; and hath caused the same to be inrolled in his Majesty's High Court of Chancery, within the Time and in the Manner directed by the said Letters Patent: And whereas, by a Deed of Assignment, bearing Date the sixth Day of *May*, one thousand seven hundred and seventy-four, the said *William Cookworthy* (for the Considerations therein mentioned) hath assigned all his Interest, Benefit, and Property, in the said Letters Patent, and Invention, unto *Richard Champion* of *Bristol*, Merchant, his Executors, Administrators, and Assigns: And whereas the said *Richard Champion* hath been at a very considerable Expence, and at great Pains and Labour, in prosecuting the said Invention; and by reason of the great Difficulty attending a Manufacture upon a new Principle, hath not been able to bring the same to Perfection until within this last Year; and it will require further Pains, Labour, and Expence, to render the said Invention of publick Utility; for all which Trouble and Expence the said *Richard Champion* will not be able to receive an adequate Compensation, unless the Term granted by the said Letters Patent be prolonged: To the End therefore that the said *Richard Champion* may be encouraged to prosecute and complete the said Invention, may it please your Majesty (at the humble Petition of the said *Richard Champion*) that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Powers, Liberties, Privileges, Authorities, Rights, Benefits, and Advantages, which in and by the said Letters Patent were originally given and granted to him the said *William Cookworthy*, his Executors, Administrators, and Assigns, and no further or greater than he, or the said *Richard Champion*, would have been intitled to if this Act had not been made, shall be, and the same are hereby given and granted to the said *Richard Champion*, his Executors, Administrators, and Assigns, and shall be held, exercised, and enjoyed, by him the said *Richard Champion*, his Executors, Administrators, and Assigns, for and during the present Term of fourteen Years granted by the said Letters Patent; and from and after the End and Expiration of the said Term of fourteen Years thereby granted, for and during the further or additional Term of fourteen Years, in as full, ample, and beneficial Manner, in all Respects, and to all Intents and Purposes whatsoever, as he the said *Richard Champion*, his Executors, Administrators, or Assigns, could have held and enjoyed the same, under and by virtue of the said Letters Patent for the Term thereby granted, in case the said Letters Patent had been originally granted by his Majesty to him the said *Richard Champion*, his Executors, Administrators, and Assigns.

All the Powers, Privileges, &c. contained in the before-recited Letters Patent, by this Act granted to *Richard Champion*, his Executors, &c. with a further Term of 14 Years.

II. Provided always, and be it further enacted and declared by the Authority aforesaid, That if the said *Richard Champion* shall not cause to be inrolled in the High Court of Chancery, within four Months after passing this Act, a Specification of the Mixture and Proportions of the Raw Materials of which his Porcelain is composed, and likewise of the Mixture and Proportions of the Raw Materials which compose the Glaze of the same (which Specification is now in the Hands of the Lord High Chancellor of *Great Britain*); or if the same shall not be a true and just Specification of the Mixture and Proportions of the said Materials; then this Act shall cease, determine, and be absolutely void, any Thing herein before contained to the contrary hereof notwithstanding.

Specifications of the Mixture and Proportions of the Raw Materials to be inrolled in the Court of Chancery within 4 Months, otherwise this Act to be void.

III. Provided also, That nothing in this Act contained shall be construed to hinder or prevent any Potter or Potters, or any other Person or Persons, from making use of any such Raw Materials, or any Mixture or Mixtures thereof (except such Mixture of Raw Materials, and in such Proportions, as are described in the Specification herein before directed to be inrolled), any Thing in this Act to the contrary notwithstanding.

No Potter, &c. hindered from using the same in different Proportions. Publick Act.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. LIII.

An Act for enabling the two Universities in *England*, the four Universities in *Scotland*, and the several Colleges of *Eton*, *Westminster*, and *Winchester*, to hold in Perpetuity their Copy-Right in Books, given or bequeathed to the said Universities and Colleges for the Advancement of useful Learning and other Purposes of Education; and for amending so much of an Act of the eighth Year of the Reign of *Queen Anne*, as relates to the Delivery of Books to the Warehouse Keeper of the Stationers Company, for the Use of the several Libraries therein mentioned.

WHEREAS Authors have heretofore bequeathed or given, and may hereafter bequeath or give, the Copies of Books composed by them, to or in Trust for one of the two Universities in that Part of *Great Britain* called *England*, or to or in Trust for some of the Colleges or Houses of Learning within the same, or to or in Trust for the four Universities in *Scotland*, or to or in Trust for the several Colleges.

Universities, &c. in England and Scotland to have, for ever, the sole Right of printing, &c. such Books as have been, or shall be, bequeathed to them, unless the same have been, or shall be, given for a limited Time.

After June 24, 1775, Persons printing or selling such Books shall forfeit the same, and also s d. for every Sheet;

one Moiety to his Majesty, and the other to the Prosecutor.

Nothing in this Act to extend to grant any exclusive Right longer than such Books are printed at the Presses of the Universities.

Universities may sell Copy Rights in like Manner as any Author.

No Person subject to Penalties for printing, &c. Books already bequeathed, unless they be entered before

June 24, 1775. All Books that may hereafter be bequeathed, must be entered within two Months after such Bequest shall be known.

6d. to be paid for each Entry in the Register Book, which may be inspected without Fee. Clerk to give a Certificate, being paid 6d.

If Clerk refuse or neglect to make Entry, &c. Proprietor of such Copy Right

‘ Colleges of *Eton*, *Westminster*, and *Winchester*, and in and by their several Wills or other Instruments of Donation, have directed or may direct, that the Profits arising from the printing and reprinting such Books shall be applied or appropriated as a Fund for the Advancement of Learning, and other beneficial Purposes of Education within the said Universities and Colleges aforesaid: And whereas such useful Purposes will frequently be frustrated, unless the sole printing and reprinting of such Books, the Copies of which have been or shall be so bequeathed or given as aforesaid, be preserved and secured to the said Universities, Colleges, and Houses of Learning respectively, in Perpetuity;’ 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 Universities and Colleges respectively shall, at their respective Presses, have, for ever, the sole Liberty of printing and reprinting all such Books as shall at any Time heretofore have been, or (having not been heretofore published or assigned) shall at any Time hereafter be bequeathed, or otherwise given by the Author or Authors of the same respectively, or the Representatives of such Author or Authors, to or in Trust for the said Universities, or to or in Trust for any College or House of Learning within the same, or to or in Trust for the said four Universities in *Scotland*, or to or in Trust for the said Colleges of *Eton*, *Westminster*, and *Winchester*, or any of them, for the Purposes aforesaid, unless the same shall have been bequeathed or given, or shall hereafter be bequeathed or given, for any Term of Years, or other limited Term; any Law or Usage to the contrary hereof in any wise notwithstanding.

II. And it is hereby further enacted, That if any Bookseller, Printer, or other Person whatsoever, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five, shall print, reprint, or import, or cause to be printed, reprinted, or imported, any such Book or Books; or, knowing the same to be so printed or reprinted, shall sell, publish, or expose to Sale, or cause to be sold, published, or exposed to Sale, any such Book or Books; then such Offender or Offenders shall forfeit such Book or Books, and all and every Sheet or Sheets, being Part of such Book or Books, to the University, College, or House of Learning respectively, to whom the Copy of such Book or Books shall have been bequeathed or given as aforesaid, who shall forthwith damask and make waste Paper of them; and further, that every such Offender or Offenders shall forfeit one Penny for every Sheet which shall be found in his, her, or their Custody, either printed or printing, published or exposed to Sale, contrary to the true Intent and Meaning of this Act; the one Moiety thereof to the King’s most Excellent Majesty, his Heirs and Successors, and the other Moiety thereof to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty’s Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Essoin, Privilege, or Protection, or more than one Impar lance, shall be allowed.

III. Provided nevertheless, That nothing in this Act shall extend to grant any exclusive Right otherwise than so long as the Books or Copies belonging to the said Universities or Colleges are printed only at their own Printing Presses within the said Universities or Colleges respectively, and for their sole Benefit and Advantage; and that if any University or College shall delegate, grant, lease, or sell their Copy Rights, or exclusive Rights of printing the Books hereby granted, or any Part thereof, or shall allow, permit, or authorise any Person or Persons, or Bodies Corporate, to print or reprint the same, that then the Privileges hereby granted are to become void and of no Effect, in the same Manner as if this Act had not been made; but the said Universities and Colleges, as aforesaid, shall nevertheless have a Right to sell such Copies so bequeathed or given as aforesaid, in like Manner as any Author or Authors now may do under the Provisions of the Statute of the eighth Year of her Majesty *Queen Anne*.

IV. And whereas many Persons may through Ignorance offend against this Act, unless some Provision be made whereby the Property of every such Book as is intended by this Act to be secured to the said Universities, Colleges, and Houses of Learning within the same, and to the said Universities in *Scotland*, and to the respective Colleges of *Eton*, *Westminster*, and *Winchester*, may be ascertained and known; be it therefore enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to extend to subject any Bookseller, Printer, or other Person whatsoever, to the Forfeitures or Penalties herein mentioned, for or by reason of the printing or reprinting, importing or exposing to Sale, any Book or Books, unless the Title to the Copy of such Book or Books, which has or have been already bequeathed or given to any of the said Universities or Colleges aforesaid, be entered in the Register Book of the Company of Stationers kept for that Purpose, in such Manner as hath been usual, on or before the twenty-fourth Day of *June*, one thousand seven hundred and seventy-five; and of all and every such Book or Books as may or shall hereafter be bequeathed or given as aforesaid, be entered in such Register within the Space of two Months after any such Bequest or Gift shall have come to the Knowledge of the Vice Chancellors of the said Universities, or Heads of Houses and Colleges of Learning, or of the Principal of any of the said four Universities respectively; for every of which Entries so to be made as aforesaid, the Sum of Sixpence shall be paid, and no more; which said Register Book shall and may, at all seasonable and convenient Times, be referred to and inspected by any Bookseller, Printer, or other Person, without any Fee or Reward; and the Clerk of the said Company of Stationers shall, when and as often as thereunto required, give a Certificate under his Hand of such Entry or Entries, and for every such Certificate may take a Fee not exceeding Sixpence.

V. And be it further enacted, That if the Clerk of the said Company of Stationers for the Time being shall refuse or neglect to register or make such Entry or Entries, or to give such Certificate, being thereunto required by the Agent of either of the said Universities or Colleges aforesaid, lawfully authorized for that Purpose, then either of the said Universities or Colleges aforesaid, being the Proprietor of such Copy Right or Copy Rights as aforesaid (Notice being first given of such Refusal by Advertisement in the *Gazette*) shall have the like Benefit as if such Entry or Entries, Certificate or Certificates, had been duly made and given; and

and the Clerk so refusing shall, for every such Offence, forfeit twenty Pounds to the Proprietor or Proprietors of every such Copy Right; to be recovered in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Effoin, Privilege, Protection, or more than one Impar lance, shall be allowed.

VI. And whereas in and by an Act of Parliament, made in the eighth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned*, it is enacted, That nine Copies of each Book or Books, upon the best Paper, that, from and after the tenth Day of April, one thousand seven hundred and ten, should be printed and published, as therein mentioned, or reprinted and published with Additions, shall, by the Printer or Printers thereof, be delivered to the Warehouse Keeper of the said Company of Stationers for the Time being, at the Hall of the said Company, before such Publication made, for the Use of the Royal Library, the Libraries of the Universities of *Oxford* and *Cambridge*, the Libraries of the four Universities in *Scotland*, the Library of *Sion College* in *London*, and the Library commonly called *The Library belonging to the Faculty of Advocates* in *Edinburgh*, respectively; which such Warehouse Keeper was thereby required, within ten Days after Demand by the Keepers of the respective Libraries, or any Person or Persons by them, or any of them, authorised to demand the said Copy, to deliver the same for the Use of the aforesaid Libraries; and if any Proprietor, Bookfeller, or Printer, or the said Warehouse Keeper of the said Company of Stationers, should not observe the Direction of the said Act therein, that then he and they so making Default, in not delivering the said printed Copies as aforesaid, should forfeit as therein mentioned: And whereas the said Provision has not proved effectual, but the same hath been eluded by the Entry only of the Title to a single Volume, or of some Part of such Book or Books so printed and published, or reprinted and republished, as aforesaid; be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall be subject to the Penalties in the said Act mentioned, for or by reason of the printing or reprinting, importing or exposing to Sale, any Book or Books, without the Consent mentioned in the said Act, unless the Title to the Copy of the whole of such Book, and every Volume thereof, be entered, in Manner directed by the said Act, in the Register Book of the Company of Stationers, and unless nine such Copies of the whole of such Book or Books, and every Volume thereof printed and published, or reprinted or republished, as therein mentioned, shall be actually delivered to the Warehouse Keeper of the said Company, as therein directed, for the several Uses of the several Libraries in the said Act mentioned.

VII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Person or Persons whatsoever, for doing, or causing to be done, any Thing in pursuance of this Act, the Defendants in such Action may plead the General Issue, and give the Special Matter in Evidence; and if upon such Action a Verdict, or if the same shall be brought in the Court of Session in *Scotland*, a Judgment be given for the Defendant, or the Plaintiff become nonsuited, and discontinue his Action, then the Defendant shall have and recover his full Costs, for which he shall have the same Remedy as a Defendant in any Cause by Law hath.

VIII. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. LIV.

An Act for paving and regulating, and for preventing Nuisances and Obstructions within *New Gravel Lane*, and the several Streets, Lanes, Passages, and Places, within the Parish of *Saint Paul, Shadwell*, in the County of *Middlesex*, not comprised in an Act passed in the eleventh Year of his present Majesty's Reign, for paving and regulating *Rosemary Lane*, and the other Places therein mentioned.

WHEREAS *New Gravel Lane*, and the several Streets leading from the South End of the said Lane to the North End of *Cockhill*, comprehending *Wapping Wall*, *Shadwell Dock Street*, the End of *New Street*, *Codpiece Row*, and *Cockhill*, and also *Fox's Lane*, in the Parish of *Saint Paul, Shadwell*, in the County of *Middlesex*, as well as the several other Streets, Lanes, Passages, and Places, situate and being within the said Parish (which have not already been paved under the Authority of a certain Act of Parliament, made and passed in the eleventh Year of his present Majesty's Reign, intituled, *An Act for paving and regulating Rosemary Lane, from the Parish of Saint Botolph Aldgate to Cable Street; also the said Cable Street, the Foot Path in Back Lane Part of the Precinct of Well Close, the Street leading from Nightingale Lane to Ratcliff Cross, Butcher Row, and Brook Street, and the several Streets, Lanes, and Passages opening into the same, and for removing all Obstructions and Annoyances therefrom, and preventing the like for the future*, are very ill paved, and the Passage through the same is greatly obstructed by Posts, Projections, and other Nuisances, and annoyed by Spouts, Signs, and Gutters; and the present Methods prescribed by Law are found ineffectual for removing such Annoyances and Obstructions, and for the proper paving of such Streets, Lanes, Passages, and Places, and keeping such Pavements in sufficient Repair; 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 *Anthony Ayre, Robert Aitkens, John Baggs, William Baggs, William Bennett, Jacob Birkley, John Birkley, Daniel Bott, Burford Camper, Norrison Coverdale, William Cook, Richard Cowes, John Dale, Richard Dowding, William Dunn, Jonathan Eade, Thomas Fox, John Homan, Edward Hoskins, William Kilbinton, Tho-*

to have like Benefit as if such Entry had been made, and the Clerk shall forfeit 20l. Clause in 8 Anne recited.

No Person subject to Penalties in the said Act for printing, &c. any Book, unless the Title to the Copy of the Whole be entered, &c.

Limitation of Actions.

General Issue;

Publick Act;

Preamble;

Act 11 Geo. III.

Names of the Commissioners;

mas

for putting this Act in Execution. Commissioners dying, others to be appointed.

If Persons appointed refuse to act, &c. others to be chosen.

Qualification of Commissioners.

Penalty on acting, if not qualified.

Five Commissioners may act.

Exception.

Time and Place of Commissioners first Meeting: They are empowered to adjourn.

If at any Meeting a proper Number do not attend, the Clerk may appoint another Meeting, giving six Days Notice.

In case of the Clerk's Death, &c. how Meetings may be appointed.

Commissioners to bear their own Expences.

No Person capable to act who holds any Place of Profit, &c. Commissioners may appoint Officers;

and may remove them, and appoint others.

How Salaries are to be paid.

Rates to be paid to the Collector.

Officers to account on Oath:

mas Kendal, Isaac Lawrence, Peter Mofaer, John Miller, James Menetonic, Richard Mann, Charles Morgan, John Philips, James Richardson, John Sherwood, Francis Henry Shepherd, James Sheppard, John Sheppard, Henry Simpson, John Sidney, John Turpin, Robert Wilson, Christopher Woodham, John Woodham, William Whitehead, Jesiah Wallis, Thomas Walls, and Mathew Wardell, being Inhabitants within the above-named Streets, Lanes and Places shall be, and they and their Successors (to be elected or appointed in Manner herein-after mentioned) are hereby appointed Commissioners for putting this Act in Execution: And upon the Death of any of the Persons appointed or to be appointed Commissioners in pursuance of this Act, it shall be lawful for the surviving or remaining Commissioners, from Time to Time to elect, and by Writing under their Hands and Seals to appoint, one other Person inhabiting within the above-named Streets, Lanes, and Places, to be a Commissioner in the Room and Stead of such Commissioners so deceased.

II. Provided always, and be it further enacted by the Authority aforesaid, That in case any of the Persons appointed or to be appointed Commissioners as aforesaid, shall refuse to act, or become Bankrupt, or remove his Residence out of the said Parish, or shall neglect to attend at twelve successive Meetings of the said Commissioners, it shall and may be lawful for the remaining Commissioners, and they are hereby authorized to elect, chuse, and appoint, in Manner aforesaid, one other Person inhabiting within the said Streets, Lanes, and Places, in the Room and Stead of the Commissioner so refusing to act, removing his Residence, becoming Bankrupt, or neglecting to attend, as aforesaid.

III. And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall then be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents of Lands, Tenements, or Hereditaments, of the clear yearly Value of forty Pounds; or possessed of, or intitled to, a personal Estate of the Value of one thousand Pounds: And if any Person not being so qualified shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of fifty Pounds to any Person or Persons who shall sue for the same; to be recoverable in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or by Bill, Plaint, or Information, together with Costs of Suit, wherein no Essoin, Protection, or Wager of Law, or more than one Imparllance, shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient on the Part of the Prosecutor to maintain his said Action by Proof that the Person so prosecuted had acted as a Commissioner in the Execution of this Act.

IV. Provided always, and be it further enacted by the Authority aforesaid, That all the Powers and Authorities by this Act granted to, or vested in, the Commissioners hereby constituted as aforesaid, shall and may, from Time to Time, be exercised by the major Part of them who shall attend any Meeting pursuant to the Directions of this Act (the Number of the Commissioners at such Meeting not being less than five), except in such Cases where any other Number of Commissioners are hereby required to act: And all the Acts, Orders, and Proceedings of the major Part of the Commissioners present at such Meeting, shall have the same Force and Effect as if done, made or executed by all the Commissioners constituted by this Act.

V. And be it further enacted by the Authority aforesaid, That the said Commissioners shall meet together at the Vestry-room of the Parish Church of *Saint Paul's, Shadwell*, on the second *Monday* next after the passing of this Act, and proceed to put this Act in Execution; and they, or any two or more of them, being the Whole or major Part of the Commissioners appearing at such Meeting, are hereby empowered to adjourn themselves from Time to Time, to meet at the same or other convenient Place within the District aforesaid, as they shall think proper, for putting this Act in Execution: And if at any Meeting so appointed there shall not appear a sufficient Number of Commissioners to act, or to adjourn to another Day; or if the said Commissioners shall at any Time neglect or refuse to adjourn themselves; then, and in every such Case, the Clerk to the said Commissioners shall appoint a Meeting at the same Place, by publick Notice in Writing, to be affixed at least six Days before the Time appointed by such Notice for such Meeting on the principal Door of the Parish Church of *Saint Paul's, Shadwell*, aforesaid: And in case the said Clerk shall die, or be incapable of acting, before the Appointment of such Meeting, or shall refuse or neglect to make such Appointment, when required by any two or more of the said Commissioners, then any two or more of the said Commissioners shall and may, by the like publick Notice, appoint the said Commissioners to meet at the Place where the last Meeting was held; and the said Commissioners at all their Meetings shall defray their own Expences; but no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers hereby granted, during the Time he shall hold or enjoy any Office of Profit under this Act, or have any Share or Interest in any Contract relating to the Execution hereof; or shall sell Ale, Wine, or other Spirituous Liquors by Retail.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners shall and may elect and choose, at any Meeting held in pursuance of this Act, and, by Writing under their Hands and Seals, appoint one or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rates and Assessments, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act as they shall think proper; and they are hereby empowered from Time to Time to remove him or them, and appoint others in like Manner as they shall think necessary or convenient; and by and out of the Monies to be raised by virtue of this Act they may, and are hereby empowered to appoint and pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act as they shall think reasonable; and may take Security for the due Execution of such Offices; and such Persons as are made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Person or Persons as shall from Time to Time be so appointed to collect and receive the same, according to the true Meaning of this Act: And all such Officers and Persons, so to be appointed as aforesaid, shall, upon Demand of the said Commissioners, account with them upon Oath (which Oath the said Commissioners are hereby empowered to administer), touching the several

Matters

Matters and Things committed to their Charge by virtue of this Act; and also shall, upon Demand of the said Commissioners, pay and deliver over to them, or such Person or Persons as they shall appoint, upon the like Oath to be administered as aforesaid, the Monies appearing upon the Balance of such Account, together with the Vouchers in Support of such Account, and also the Books, Papers, and Writings, in their respective Custody or Power, relating to the Proceedings to be had under this Act; and in Default of the Person or Persons required complying with such Demand as aforesaid for the Space of twenty-four Hours after such Demand made, as aforesaid, it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to commence and prosecute one or more Action or Actions, in any of his Majesty's Courts of Record at *Westminster*, against the Person or Persons so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons to be appointed by them for that Purpose, of any such Refusal or Neglect as aforesaid, to any one or more of the Justices of the Peace for the County or Place wherein the Party or Parties so neglecting or refusing shall be and reside, such Justice and Justices may, and is and are hereby authorized and empowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Person or Persons so refusing or neglecting to be brought before him or them; and upon his or their appearing (or not being to be found), to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice or Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and is and are hereby authorized and empowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons offending in the Premises respectively: And if no such Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same; or in case of Refusal to account as aforesaid; or that it shall appear to such Justice or Justices, by the Confession of the said Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, or to the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Officers, Person or Persons, and he or they shall refuse to deliver up the same as aforesaid; then, and in either of the said Cases, such Justice or Justices shall commit every such Offender to the Common Gaol of the County or Place where such Offender shall be and reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make), and until he or they shall deliver up such Books, Papers, and Writings, as aforesaid, or give Satisfaction in respect thereof.

VII. Provided always, That no Person who shall be committed on account of his having no Goods or Chattels, shall be detained in Prison for any longer Term than six Months.

VIII. And be it further enacted by the Authority aforesaid, That in case of the Death of any such Officer or other Person to be appointed as aforesaid, or of his becoming Bankrupt before he shall have paid and delivered up all the Monies he shall have received by virtue of this Act; then, and in every such Case, the Executor or Executors, Administrator or Administrators, Assignee or Assignees, of his Estate and Effects, or other Person or Persons possessing the same, or in whom the same have or hath vested, shall, in the first place, and in Preference to all other Creditors, pay the said Monies remaining unpaid or delivered up as aforesaid, out of the said Estate and Effects, or as far as the same will extend, to the said Commissioners under this Act, or to any Person appointed by them for that Purpose, and also all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act: And every Executor, Administrator, Assignee, or other Person or Persons possessed of such Effects as aforesaid, may plead such Payment in any Action or Suit that may be brought against him, her, or them, on account of the said Estate and Effects, or give the same in Evidence; and in case of Non-payment of such Monies, or Non-delivery of such Books, Papers, Writings, and Things, by the Space of ten Days after the same shall be demanded, it shall and may be lawful for the said Commissioners, and they are hereby required, to commence and prosecute one or more Action or Actions, in any of his Majesty's Courts of Record at *Westminster*, against such Executor or Administrator, Assignee, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person or Bankrupt, for Recovery thereof, together with Costs of Suit, or of Damages in lieu of such Books, Papers, Writings, and Things.

IX. And be it further enacted by the Authority aforesaid, That if any Person who shall be employed as a Clerk, Treasurer, Collector, Receiver, Surveyor, or any other Officer or Servant, who shall be any ways employed by the said Commissioners putting this Act, or any the Powers thereof, in Execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved by the Commissioners, for or on account of any Thing done, or to be done, by virtue of this Act, or on any account whatsoever relative to the putting this Act in Execution; or shall any ways be concerned or interested in any Bargain, Contract, Purchase, or Sale, made or to be made by or with the said Commissioners, or any of them, for the Purposes of putting this Act in Execution; every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall, over and above, forfeit the Sum of one hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, within six Calendar Months next after the Offence committed, in which said Action no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

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X. And

Money in Han's Books, &c to be delivered up on Demand.

Persons making Default may be prosecuted.

On Complaint, Justices may grant Warrant to proceed by D. distress and Sale;

And in case there be no Goods, the Offender to be committed.

Proviso.

On Death of Officers, &c. Executors to account.

Balance to be paid in Preference of any other Creditor.

Executors may plead such Payment. In case of Non-payment, Actions may be brought against Executors, &c.

Officers taking any Reward other than their Salaries,

or being interested in any Bargain made by the Commissioners, &c. to forfeit 100l.

Commissioners,
impowered to
pave and alter
Streets, &c.;

to dig and carry
away Stones, &c.;

to raise, lower,
or sink the
Ground;
to take up and
remove Water-
pipes, &c. ;
to remove Pro-
jections, &c.

to employ Work-
men ;

and to contract
with any Persons
for the Perform-
ance of the
Works.

40s. Penalty on
Breach of Con-
tract, above the
Penalty stipu-
lated.

Actions may be
brought for Re-
covery of Penal-
ties.

Commissioners
may sell the old
Materials, &c.

Any Person re-
pairing Pave-
ment other than
those employed
by the Commis-
sioners, or ob-
structing the
Work, to forfeit
40s.

Property of
Pavement and
Materials vested
in the Commis-
sioners ;
40s. Penalty on
injuring the
same.

Pavement may
be taken up for
repairing Water-
pipes, &c. Six
Hours after
such Repair, No-
tice to be given to
the Commis-
sioners Paviour.

Commissioners
may contract for
paving Pipe
Trenches,
giving 14 Days
Notice in some
publick News
Paper.

X. And be it further enacted by the Authority aforesaid, That the said Commissioners shall and may, and they are hereby authorized and impowered, from Time to Time, after the first Meeting, to cause, order, and direct the several Streets, Lanes, and Places herein-after mentioned, within the Parish of *Saint Paul, Shadwell*, aforesaid; that is to say, The said Lane called *New Gravel Lane*, and the said several Streets leading from the South End of the said Lane to the North End of *Cockhill*, comprehending *Wapping Wall, Shadwell Dock Street*, the End of *New Street, Codpiece Row*, and *Cockhill*, and also *Fox's Lane*, or by what other Names they may have been called or known, and the several Courts, Yards, Alleys, Passages, and other Places, opening into or communicating with the same, or any Part or Parts thereof, to be new paved or repaired as they shall think proper; and for such Purposes may, from Time to Time, cause to be dug, carted, and carried away, out of, or brought into the same, or any Part or Parts thereof, such Gravel Stones and other Materials as they shall judge necessary; and may likewise cause the Ground thereof to be raised, lowered, or sunk, the Course of the Channels and Gutters running in or through the same to be turned or altered, and new Channels or Gutters to be made; and the Water-pipes which now lie, or hereafter shall be laid, under Ground, as also the Grates over the Sewers, to be taken up, removed, replaced, laid, or altered, in such Manner as they shall judge best; and may cause all Posts, Pales, Rails, Bulks, Stalls, Dung-holes, Shew-glasses, Shew-boards, Steps, and Doors, and other Matters and Things projecting into or encroaching on the Foot-way, to be removed, filled up, or altered, as they the said Commissioners shall judge necessary and expedient; and may employ such Artificers, Workmen, Labourers, and others, and may do all and every other Act and Thing for the accomplishing the aforesaid Ends and Designs as they shall think necessary, and shall pay for the same out of the Monies to be raised by virtue of this Act: And for the Purposes aforesaid, may contract, by Deed or other Writing, with any Person or Persons in such Manner as they the said Commissioners shall adjudge adviseable; and for the Non-performance of, or Non-compliance with, any Covenant, Agreement, Engagement, or Undertaking entered into with the said Commissioners, the Person or Persons so covenanting, agreeing, engaging, or undertaking, shall forfeit the Sum of forty Shillings; to be levied and recovered upon Information before any Justice of the Peace, pursuant to the Directions herein-after contained, touching such Penalties and Forfeitures hereby imposed (as the Manner of levying and recovering thereof is not hereby otherwise particularly directed), over and above any Penalty expressed in such Covenant, Contract, or Agreement, or the Damages that may be assigned thereon: And the said Commissioners are hereby authorized and impowered to commence and prosecute any Action or Suit, in any of his Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting, and neglecting to perform such Contract or Contracts, and for any Penalty or Penalties expressed therein, or any Damage or Damages which shall be assigned thereon, and shall recover in any such Action or Suit, together with Costs of Suit; in which Action no Protection, or Wager of Law, or more than one Imparance, shall be allowed.

XI. And be it further enacted by the Authority aforesaid, That the said Commissioners shall have full Power and Authority from Time to Time to work up, or to sell and dispose of, all or any Part of the old Pavement, or other Materials, to such Person or Persons as shall be willing to purchase the same, and to apply the Purchase-money to the Purposes of this Act.

XII. And be it further enacted by the Authority aforesaid, That if any Person or Persons, other than the Persons to be employed by the said Commissioners, shall pave, repair, or otherwise intermeddle with the Pavement of any of the said Streets, Lanes, and Places hereby authorized to be paved, which shall be broke up or damaged; or if any Person or Persons shall at any Time or Times obstruct, hinder, or molest, any Officer or Workman, Person or Persons whatsoever, who shall be employed by virtue of this Act, in the Performance or Execution of his or their Duty; every such Person so offending shall, for every such Offence, forfeit the Sum of forty Shillings.

XIII. And be it further enacted by the Authority aforesaid, That the Property of the present and future Pavements of the said Streets, Lanes, and Places authorized to be paved, and of all other Materials and Things which shall be provided and made use of for the Purposes of this Act, shall be and the same are hereby vested in the Commissioners for the Time being; and in case any Damage or Injury shall be done thereto, the Person or Persons doing, or occasioning the same to be done, shall, for every such Offence, forfeit and pay the Penalty of forty Shillings.

XIV. Provided always, nevertheless, and be it further enacted by the Authority aforesaid, That it shall be lawful for the Commissioners of Sewers, and Companies of Waterworks, or other Person or Persons whatsoever, to take up the said Pavement for the Purpose of cleansing, emptying, amending, or repairing any Sewer, Water-pipe Plug, Draught, Vault, or other necessary Purpose whatsoever; and the Person or Persons employed therein, or directing the said Works, shall prosecute the same with all convenient Speed, and shall, within the Space of six Hours next after the finishing thereof, give Notice thereof in Writing to the Paviour, or Person employed or appointed by the said Commissioners for repairing the Pavement of the said Streets, Lanes, and Places hereby authorized to be paved, or in Default thereof shall forfeit twenty Shillings for such his or their Neglect; and the said Commissioners Paviour shall, within the Space of two Days after receiving such Notice, proceed to, and shall, with all convenient Speed, effectually and substantially repair and make good the Pavement so broken up, damaged, or injured, or in Default thereof shall forfeit forty Shillings for such his Neglect.

XV. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and impowered, from Time to Time, at any of their Meetings, as Occasion shall require, to contract with any Person or Persons for paving and keeping in Repair the Pavement over the Water Trenches belonging to any of the Water Companies; but that no such Contract shall be made unless previous to the making thereof fourteen Days Notice at the least shall be given in some of the publick News-papers, expressing the Intention of such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, at the Time and Place in such Notice mentioned.

XVI. And

XVI. And be it further enacted by the Authority aforesaid, That for the Costs, Charges, and Expences attending or incident to the repairing or making good the Pavements of the Streets, Lanes, and Places hereby authorized to be paved, the Person or Persons causing or occasioning the said Pavements to be broke up or damaged shall stand Debtor upon an implied Promise to the said Commissioners Paviour for such Repair, as for Work and Labour done, and Materials found for the Use of such Person or Persons; and the said Commissioners Paviour is hereby authorized and impowered to commence and prosecute one or more Action or Actions, Suit or Suits, in any of his Majesty's Courts of Record at *Westminster*, against such Person or Persons, wherein he shall recover a reasonable Satisfaction for such Work and Labour, and Materials, together with Costs of Suit: But where the Commissioners of Sewers, Companies of Waterworks, or other Bodies Politick or Corporate, occasion such Damage to the said Pavement, that then the respective Treasurers to such Bodies Politick or Corporate, Commissioners of Sewers, or Companies of Waterworks, shall stand Debtors for such Repairs, upon an implied Promise to the said Commissioners Paviour, who is hereby authorized to commence such Action as aforesaid against any such Treasurer, wherein he shall recover a reasonable Satisfaction for such Work, Labour, and Materials, together with Costs of Suit; and such Treasurer is hereby authorized and allowed to take Credit in his Accounts for the Monies he shall pay or disburse on account of the Premises.

Charges of repairing Pavement taken up to be paid by Persons occasioning the Damage.

How to be recovered.

XVII. And be it further enacted by the Authority aforesaid, That the several and respective Persons now appointed or employed, or hereafter to be appointed or employed, as Paviours or Workmen to the several and respective Water Companies, for the amending the Pipes lying under any of the said Streets, Lanes, and Places hereby authorized to be paved, are hereby required, within the Space of three Days after the passing of this Act, or within three Days next after they shall respectively be so appointed as aforesaid, to give Notice in Writing to the Clerk for the Time being to the said Commissioners of their respective Names and Places of Abode, and by what Company they are so appointed, or in Default thereof, they shall forfeit the Sum of Twenty Shillings for each Neglect, and also the like Sum of twenty Shillings for every Failure of the like Notice upon the Removal or Change of their respective Places of Abode; and all Notices under this Act, left, pursuant to such Directions, for the Person or Persons to whom such Notices are addressed, shall be deemed good Service.

Paviours, &c. to Water Companies to give Notice to the Commissioners Clerk of their Names and Places of Abode.

XVIII. And be it further enacted by the Authority aforesaid, That the several Paviours or Workmen employed by the respective Water Companies, on receiving Notice in Writing from the said Commissioners Paviour, or other Person appointed by them for that Purpose, of the bursting or breaking of any Water-pipe within any of the said Streets, Lanes, and Places authorized to be paved, shall, within the Space of two Days, proceed to, and with all convenient Speed, amend, repair, or replace such broken Pipe, and prevent the Water issuing therefrom, or in Default thereof, every Person so neglecting or refusing, shall forfeit the Sum of twenty Shillings.

Water-Companies to repair their Pipes within two Days after Notice.

XIX. Provided always, and be it further enacted by the Authority aforesaid, That in case the Person who shall receive Notice of the bursting of any Water-pipe shall, upon opening the Ground, find the same to belong to some other Company of Waterworks; then, and in such Case, he shall give Notice thereof in Writing, within six Hours from the opening of such Ground, to the said Commissioners Paviour, or in Default thereof, shall forfeit twenty Shillings for such his Neglect; and for his Labour and Expence of opening such Ground he shall be paid by the Paviour or Workman employed by the Water Company, Proprietor of the Pipe so burst or broke, and may prosecute for the Recovery thereof in the Court of Requests for the *Tower Hamlets*, or other Court in the County of *Middlesex*, where Debts under forty Shillings are recoverable.

Pipes broken not belonging to the Company whose Paviour shall open such Ground, by whom he is to be paid for his Trouble.

XX. And be it further enacted by the Authority aforesaid, That when any private Drain, Vault, or Sewer shall fall in or become ruinous or choked up, so as to affect or injure the Pavement of the Streets, Lanes, and Places hereby authorized to be paved, or shall become stinking or offensive to the Inhabitants thereof the Owner or Owners, Proprietor or Proprietors of the several Messuages, Lands, Tenements, and Hereditaments, which are occupied with the Use of such Drain, Vault, or Sewer, shall, within four Days after Notice delivered or left for him, her, or them, at the said several Messuages or Dwelling-houses, from the Commissioners Paviour, or other Person to be appointed by them for that Purpose, proceed to, and with all convenient Speed, effectually cleanse, repair, and amend such Sewer, Vault, or Drain, or in Default thereof, it shall and may be lawful for the said Commissioners to cause the same to be done, and the Charges and Expences thereof, and of repairing the Pavements damaged thereby, shall stand charged on the said several Messuages, Lands, and Tenements, and be paid by the said respective Owners and Proprietors thereof, or their Under-tenants on their Behalf; and the Quota or Share each Party shall pay of such Charges and Expences shall be ascertained, proportioned, and assessed, by the Award or Arbitrement of the said Commissioners; and in case Default shall be made in Payment of any of the said Proportions of the said Charges, the same shall be recovered by Distress and Sale of the Goods and Chattels of the Occupier and Occupiers of any or either of the Messuages, Lands, and Tenements which shall be charged by such Award with the Payment thereof; and such Under-tenant or Occupier paying such Apportionment or Assessment, is hereby authorized and impowered to deduct the Monies so paid out of his Rent then due, or which shall thereafter accrue due; or the said Commissioners, at their Election, may prosecute one or more Action or Actions, Suit or Suits, against the said respective Proprietors or Owners of the said several Messuages, Lands, Tenements, or Hereditaments, for their said respective Proportions of the said Charges, and they shall recover the same thereby, together with the Costs of Suit.

Proprietors of ruinous Drains to repair them.

and in case of Default, the Commissioners to repair them at the Proprietors Expence.

How the said Charges are to be recovered.

XXI. And be it further enacted by the Authority aforesaid, That when and so often as there shall be Occasion to make new and additional Grates over any Sewer or Sewers within the said Streets, Lanes, and Places, or to repair, alter, cleanse, and amend any of the said Sewers, or the Grates over the same, the Clerk for the Time being of the Commissioners for the said Sewers shall, at the Request in Writing of the

Commissioners of Sewers how to be summoned when any Repair of Sewers, &c. are wanted.

Clerk or Surveyor for the said Commissioners of Pavement, forthwith summons the said Commissioners of Sewers to meet, in order to take the Premises into Consideration, which they are hereby authorized and required to do at such Meeting; and also at the same Meeting, or any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are invested, in order that the said several Works may be speedily and effectually done, completed, and finished.

20s. Penalty on laying Goods, &c. in the Streets, or obstructing the same by Carriages.

Goods and Carriages obstruct the Passage of Streets may be seized till Payment of Penalty, &c.

5s. Penalty on driving Wheelbarrows, &c. on the Foot Pavement.

Housses may be erected for building or repairing Housses.

20s. Penalty each Day, if such Inclosures be set up without Leave.

Inhabitants to sweep the Foot Path every Day (Sundays excepted).

Housses to be numbered, and Names of Streets, &c. to be fixed on the Corner Housses.

5l. Penalty on defacing Numbers or Names.

Signs, &c. to be regulated, Projections, &c. to be removed.

XXII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall throw, cast, or lay, or cause, or permit, or suffer to be thrown, cast, or laid, any Goods, Wares, Merchandises, Timber, Stone, or other Materials, Ashes, Dust, Dirt, Soil, or other Filth whatsoever, before his, her, or their Dwelling-house, Shop, Stable, Yard, Wharf, or other Tenement in the said District, nor shall place any Coach, Cart, Waggon, Dray, or other Carriage in any of the said Streets, Lanes, and Passages, so as to obstruct the free Passage thereof, upon Pain of forfeiting, for every such Offence, the Sum of twenty Shillings.

XXIII. And be it further enacted by the Authority aforesaid, That when and so often as any Timber, Stone, or other Materials, Goods, Wares, Merchandises, or other Things whatsoever, are set out, placed, or laid in any of the said Streets, Lanes, or Places; or if any Coach, Cart, Waggon, Dray, or other Carriage shall be placed or suffered to stand, remain, or continue in any of the said Streets, Lanes, or Places, so as to obstruct the free Passage thereof; or in case any Cart, Waggon, Dray, or other Carriage shall be suffered to stand any longer than is needful and necessary for loading or unloading thereof; or if any such Cart, Dray, Waggon, or other Carriage shall be placed or set across any Part of the said Streets, Lanes, or Places, for any Purpose whatsoever, it shall and may be lawful, in any of the said Cases, for any one of the said Commissioners, or any one of their Officers, or other Person to be appointed by them, or any of them, to remove Nuisances, to seize, or cause to be seized, all such Goods, Wares, and Merchandises, and also every such Coach, Cart, Waggon, Dray, or other Carriage, occasioning such Obstruction, or so placed or suffered to stand, contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging, and remove the same, or cause the same to be removed, taken, carried away, and deposited in such Place or Places to be appointed by the said Commissioners for the impounding of Goods and Things to be seized, as aforesaid, there to remain until all Costs, Charges, and Expences, attending the carrying away, depositing and detaining the same, as aforesaid, as also a Sum not exceeding twenty Shillings for each such Offence, shall be paid and discharged; and in case the said Goods, Carriages, and Things so seized shall not be claimed, and the said Sum of twenty Shillings and Charges paid, within three Days next after such Seizure, it shall and may be lawful for the Person or Persons making such Seizure to cause the same to be sold, and the Monies arising therefrom shall be applied for the Purposes of this Act.

XXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall run, drive, draw, or cause to be run, driven, or drawn, on any Part of the Foot Pavement of the said Streets, Lanes, or Places, or any of them, any Wheel or Wheels, Sledge, Wheel-barrows, or any Carriage or other Thing whatsoever, such Person or Persons shall forfeit, for every such Offence, ten Shillings: And it shall and may be lawful for any Person or Persons whatsoever to take the Person or Persons so offending into Custody, and to lead him to a Justice or Justices of the Peace for the said County, to be dealt with pursuant to the Directions of this Act.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in any of the said Streets, Lanes, or Places, any Scaffold, Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials, for building or repairing any Housses, Buildings, or other Works; every such Person or Persons first obtaining Leave, under the Hand of the Surveyor or Clerk for the Time being to the said Commissioners, for those Purposes respectively: But if any Person or Persons shall erect or set up, or cause to be erected or set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing, for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding twenty Shillings for every Day such Inclosure, Matter, or Thing, as aforesaid, shall remain and continue.

XXVI. And be it further enacted by the Authority aforesaid, That all and every Person and Persons inhabiting within the said District shall sweep and clean, or cause to be swept and cleaned, the Foot Paths before their respective Housses, Buildings, and Walls, once in every Day, between the Hours of six and nine in the Forenoon (*Sundays* excepted), upon pain of forfeiting the Sum of five Shillings for every Neglect therein.

XXVII. And be it further enacted by the Authority aforesaid, That the said Commissioners may order and direct the Housses within the said Streets, Lanes, and Places, to be numbered with Figures placed or painted on the Doors or other Part of the said Housses respectively; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House or other Building, at or near the End or Corner of each Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to or beginning near the said Streets, Lanes, or Places respectively, hereby authorized to be paved, the Name by which such Street, Lane, Court, Yard, Alley, Passage, or Place so adjoining, is usually or properly called or known: And if any Person or Persons shall willfully or maliciously destroy, injure, obliterate, or deface, any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, shall forfeit and pay the Sum of five Pounds.

XXVIII. And be it further enacted by the Authority aforesaid, That the said Commissioners shall and may cause all Signs within the said District to be fixed or placed in the Front of such Housses respectively whereto the same shall belong; and also shall and may cause all Trees, Poles, Porches, Sign-irons, Sign-poles, Boards, Spouts, Gutters, Penthouses, Poits, Rails, Steps projecting on the Foot-ways, and Steps or

or Doors leading down to Cellars and Vaults out of the said Foot-ways, and also all projecting Windows, Shew-glasses, Shew-boards, and all other Encroachments, Obstructions, and Annoyances whatsoever, now or hereafter to be made, placed, or erected, to be taken down, removed, or altered, in such Manner as the said Commissioners shall think most proper and convenient; and they are also hereby authorized and empowered to make the Pipes or Trunks necessary to be erected by them for the Purpose of conveying the Water from the Roofs of the said Tenements in lieu of Spouts, of such Materials as they shall think proper; and that for the future all Signs, Boards, Spouts, or Gutters shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto they respectively belong, and not otherwise; and if any Person or Persons shall at any Time hereafter hang, place, erect, or build any Sign, Sign-iron, Sign-post, or other Post, Pole, Board, Spout, or Gutter, Pale, Rail, Step, projecting Window, Penthouse, or other Encroachment, Nuisance, or Annoyance whatsoever, in any of the said Streets, Lanes, or Places, or cause, or permit, or suffer the same, every such Person shall, for every such Offence, forfeit and pay the Sum of five Pounds, and also the Sum of twenty Shillings for every Week the same shall be continued after Notice from the said Commissioners to remove the same.

XXIX. And be it further enacted by the Authority aforesaid, That when and so soon as the said Commissioners shall order or direct any of the said Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, or any Part thereof, to be new paved, it shall be lawful for the said Commissioners, and they are hereby authorized, once in every Year, or oftener, if it shall be thought needful, for the said Commissioners to make a Rate or Rates, Assessment or Assessments, upon the several Houses, Shops, Warehouses, Vaults, Cellars, Docks, Wharfs, Cranes, Crane-houses, Yards, Lands, Tenements, and Hereditaments, situate or being in any such Street, Lane, Court, Yard, Alley, Passage, or Place, and in such competent Sum and Sums of Money as the said Commissioners shall order and direct, so as such Rates or Assessments do not exceed in the Whole the Sum of one Shilling and Sixpence in the Pound in any one Year of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Docks, Wharfs, Cranes, Crane-houses, Cellars, Vaults, or other Tenements; and such Rates and Assessments shall be paid and discharged by the respective Inhabitants, Tenants, and Occupiers of the Premises so rated and assessed, or any or either of them; all which Rates and Assessments, made by virtue of this Act, the said Commissioners are hereby authorized and empowered to divide and proportion into half-yearly, quarterly, or lesser Payments, as they shall think proper.

XXX. Provided always, and be it further enacted by the Authority aforesaid, That when and for so long Time as any of the said Houses, Lands, Tenements, Hereditaments, and Premises shall remain unoccupied, only one-third Part of the said Rates and Assessments shall be payable or collected; and such third Part of the said Rates and Assessments, as well as one third Part of the said Rates and Assessments whilst the same Premises shall be inhabited or occupied, it shall and may be lawful for the Tenant or Occupier paying the same to deduct the Amount of the Monies so paid out of the Rent due, or to accrue due, to his Landlord, for or in respect of the Tenement so charged, and a Tender of the Receipt or Receipts for such Thirds of the said Rates shall be adjudged and considered a good and lawful Tender of Rent, to the Amount of the Monies contained in such Receipt or Receipts.

XXXI. Provided always, nevertheless, and be it further enacted by the Authority aforesaid, That when any of the said Houses or distinct Tenements are occupied by two or more Tenants; then, and in such Case, it shall and may be lawful for the Tenant or Tenants, or Occupier or Occupiers, paying the Rates and Assessments made on any such House or Tenement, to deduct the Whole thereof out of the Rent due, or that shall accrue due, from him, her, or them, for any Part of the said Tenement he, she, or they shall so occupy, to the Landlord or Landlords thereof, or other Person or Persons authorized or empowered to receive such Rents, and to tender the Receipts given for the same Rates as Part of Rent.

XXXII. And be it further enacted by the Authority aforesaid, That all Rates made by virtue of this Act shall be allowed and signed by any two Justices of the Peace acting in and for the said County, who are also hereby empowered and authorized to grant a Warrant or Warrants for collecting thereof from the said respective Inhabitants, Tenants, and Occupiers, by such Person or Persons as the said Commissioners shall nominate or appoint for the collecting thereof, and at such Times, and in such Parts, Shares, or Proportions as the said Commissioners shall order, direct, or appoint; and which Warrant or Warrants shall be a sufficient Authority to the Person or Persons thereby authorized for the Purposes therein mentioned: And if any of the said Inhabitants, Tenants, or Occupiers, shall refuse or neglect to pay any of the said Rates and Assessments, or any Part, Share, or Proportion thereof, into which the same shall be divided by the said Commissioners as aforesaid, after the respective Times appointed for Payment thereof; then, and in every such Case, it shall and may be lawful for any two Justices of the Peace, acting in and for the said County, to grant a Warrant or Warrants to such Person or Persons as the said Commissioners shall appoint for levying every such Rate and Assessment, or any Part, Share, or Proportion thereof, so to be divided as aforesaid, and then in Arrear, by Distress and Sale of the Goods and Chattels of such Person or Persons to neglecting, refusing, or omitting to pay the same: And in case no such Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up or secured, or removed from the Person or Persons authorized to distrain as aforesaid, so that he or they cannot distrain the same; then, and in either of the said Cases, upon Information given thereof to the said Justices, or any two Justices of the Peace for the County or Place where the Person or Persons required to pay the said Rate shall reside, it shall and may be lawful for such Justices, and they are hereby empowered to commit the Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offences shall be committed, there to remain without Bail or Mainprize for any Time not exceeding the Space of six Months, nor less than three Months, or until the Payment of the Monies by such Warrant directed to be levied, and reasonable Charges occasioned by Non-payment thereof.

Rates to be made,

not exceeding 1s. 6d. per Pound.

Where Houses, &c. are unoccupied, only a third of the Rate to be collected.

Houses occupied by more Tenants than one, the Tenant paying the Rate to deduct the whole out of the Rent due.

Rates to be signed by two Justices.

If Tenants refuse to pay, how Rates may be recovered.

XXXIII. Provided

All Persons in Arrear may be comprised in one Warrant, or Schedule there-to.

All Places of Worship, void Spaces of Ground, &c. may be rated, not exceeding 6^d. per square Yard, &c.

By whom such Rates are to be paid.

Rates may be recovered by Action.

Waste or vacant Ground to be fenced in at the Expence of the Owner.

In case of Neglect, by whom to be done, and at whose Expence.

Occupiers quitting Tenements, &c. without paying Rates, may be followed.

Persons paying these Rates exempted from all other Expences of paving.

XXXIII. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to comprise in every such Warrant of Distress, or by Schedule thereto, the several Persons in Arrear for the said Rates, or for any Part or Share thereof, so to be proportioned or divided as aforesaid, so as the said respective Persons be particularly named therein, with the respective Sums in Arrear; and when due, and when any Copy shall be demanded of such Warrant, a Copy thereof, with the Name of the Person demanding the same, and the Sum or Sums of Money thereby required to be levied of him, extracted from such Schedule, shall be deemed, adjudged, and taken to be a complete and perfect Copy of such Warrant, any Law, Usage, or Custom to the contrary notwithstanding.

XXXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, at such Times as the Rates hereby directed shall be made, to rate and assess, for the Purposes aforesaid, all Churches, Churchyards, Meeting-houses, and other Places of publick Worship, or intended for that Purpose, with the Ground belonging thereunto, Hospitals, Prisons, and all other publick Buildings whatsoever; and also all Buildings whilst erecting and unfinished, and all void and unoccupied Spaces of Ground fenced in, or otherwise situate and being in, or abutting upon, the said Streets, Lanes, and other Places, to be rated as aforesaid, at such Rate as the said Commissioners shall adjudge reasonable, but not exceeding Sixpence by the Year for every square Yard of Pavement lying in the Front of such Premises, to be measured to the middle Line of the Street: And such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid in such Parts and Proportions as shall be ordered, directed, or appointed, by the said Commissioners, by the respective Persons after mentioned; (that is to say,) For every Church and Churchyard by the Churchwardens thereof; for every vacant Piece of Ground by the Owner or Owners, or Proprietor or Proprietors thereof; for every Meeting-house, and other Place of publick Worship, by the Proprietor or Proprietors, Trustee or Trustees, or their Treasurer, Minister, or Deacon, or other Person officiating therein; and for every Hospital, Prison, or other publick Building, by the Treasurer, Master, or Keeper thereof; which Rates they are hereby severally authorized and empowered to advance and pay out of the Monies to be received by them respectively in their several Trusts or Offices: And the said last-mentioned Rates and Assessments, as well as all other the Rates and Assessments hereby imposed, or any Part thereof, shall and may likewise be recovered of the Person or Persons so required to pay the same (as also of the Landlord or Landlords, Owner or Owners, or other Person or Persons intitled to or for whose Use the Rents and Profits of the Premises, for which the said Rates are in Arrear, have been theretofore usually received, as to one-third Part thereof, and the Whole of such Rates in Arrear, when the Premises are or have been usually occupied by two or more Tenants, or let out in separate Apartments), by Action or Suit, in any of his Majesty's Courts of Record at *Westminster*, or in any inferior Court, together with Costs of Suit; which said Action shall be prosecuted in the Name of the Collector, or such other Person as the said Commissioners shall appoint in general to prosecute such Suits.

XXXV. And be it further enacted by the Authority aforesaid, That all Landlords, Owners, Tenants, or Occupiers, of any waste or vacant Piece of Ground, or Scite of any House or Tenement lying in or adjoining to any of the Streets, Lanes, or Places, comprised in this Act, which shall lie open and unfenced from the same; or when the Fence shall be in a ruinous Condition, or out of Repair, shall within six Days after Notice delivered to him, her, or them, or any or either of them, by Order of the said Commissioners, well and sufficiently fence in the Premises mentioned in such Notice, or cause the old Fence (if any) to be well and sufficiently repaired within the Time aforesaid: And in case such Work shall not be completely finished within the Time aforesaid, it shall and may be lawful for the said Commissioners to order and cause the same to be done, completed, and finished; and the Tenant or Occupier thereof, or other Person in Possession thereof, or seized thereof, to whom such Notice as aforesaid shall have been given, shall pay the Expence thereof upon Demand of the Person authorized by the said Commissioners to receive the same; and in case of Refusal or Neglect to pay the same, it shall and may be lawful for the said Commissioners to bring, commence, and prosecute one or more Action or Actions, Suit or Suits, in any of his Majesty's Courts of Record at *Westminster*, or other inferior Court, for the Recovery of such Expence, together with Costs of Suit from the Person or Persons so neglecting or refusing to pay as aforesaid.

XXXVI. And be it further enacted by the Authority aforesaid, That when any Person or Persons shall quit the Occupation of any of the Messuages, Lands, Tenements, and other the Premises so rated and assessed as aforesaid, before he, she, or they shall have paid his, her, or their said Rate; that then, and in every such Case, it shall and may be lawful to and for such Person or Persons as shall be appointed by the said Commissioners for such Purposes to levy the same by Distress and Sale of the Defaulter's Goods, by Warrant under the Hand and Seal of any one or more Justices of the Peace acting in and for the said County (which Warrant the said Justice or Justices is and are hereby authorized and empowered to grant), into any Place within their respective Jurisdictions, or out of the Limits thereof (such Warrant being first backed or countersigned by some Magistrate in the County, City, or Liberty where the Distress is to be made), and the same to sell, rendering the Overplus (if any such shall be), after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattels, upon Demand of the same.

XXXVII. And be it further enacted by the Authority aforesaid, That all and every Person or Persons paying the Rates and Assessments, by this Act laid and assessed, within the Streets, Lanes, and Places to be paved as aforesaid, shall be, and they, and every of them, is and are hereby exempted and discharged from all other Charges and Expences of paving the same Streets, Lanes, and Places, or any Part or Parts thereof, and also from all Penalties which may or might be incurred by Reason or Means of their neglecting to pave the same respectively, any Law, Statute, or Usage to the contrary notwithstanding.

XXXVIII. Provided

XXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be deemed or taken to make void any Lease, or the Covenants, Conditions, and Agreements therein contained, or any other Covenant, Contract, or Agreement, between Landlord and Tenant; and that every Lease whereon the Rent thereof is reserved clear of all Taxes, except the Tax therein specified, such Rent shall be paid accordingly, without any Deduction or Allowance whatsoever on account of the Rates and Assessments to be made, laid, or assessed, by virtue of this Act, any Thing herein contained to the contrary thereof notwithstanding.

XXXIX. And be it further enacted by the Authority aforesaid, That in case any Collector of the said Rates or Assessments shall become insolvent, or shall imbezzle or make away with, detain or misapply, any Sum or Sums of Money so collected by him for the Purposes aforesaid, or shall die possessed of any Sum or Sums of Money by him or them collected by virtue of this Act, or so as the same cannot be obtained by the Time the said Commissioners shall stand in Need thereof, for the Purposes for which the same was collected; then, and in every such Case, such Sum and Sums of Money shall be again rated and assessed by the said Commissioners, in such Proportion and Manner as the Rates are directed to be made by this Act, and shall be collected, levied, and distrained, in such Manner, and under such Penalties, as are herein provided for collecting and levying the Rates due and payable by this Act.

XL. And, for the better enabling the said Commissioners to carry into Execution the several Powers and Authorities hereby vested in them, and the several Directions of this Act, be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners to borrow, upon the Credit of the Rates and Assessments to be made by virtue of this Act, any Sum or Sums of Money at Interest, and to raise any Sum or Sums of Money by the Sale of Annuities, for the natural Life or Lives of such Person or Persons as shall be nominated and appointed by the Purchaser or Contributor, so as such Annuity or Annuities do not exceed the Rate of ten Pounds by the Hundred, and so in proportion for any greater or less Sum, to be paid as aforesaid; and so as the Purchase-money for any one Annuity exceed not the Sum of one thousand Pounds; and so as the Monies to be raised by the Ways and Means aforesaid, or either of them, do not exceed the Sum of five thousand Pounds.

XLI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners to make an Order for Repayment of the Monies to be borrowed as aforesaid, and the Interest thereon, and also for the Payment of such Annuity or Annuities as shall be purchased as aforesaid, particularising at what respective Times in the Year, and in what Proportions, the said Interest and Annuities shall be paid, according to the Agreement of the Parties upon the said Loan or Purchase; and from and immediately after such Order and Receipt for the Monies advanced shall be signed by the said Commissioners, the Monies so advanced and lent at Interest as aforesaid, and the respective Annuities so to be purchased as aforesaid, shall be and are hereby charged upon the Rates and Assessments to be made by virtue of this Act; and the said Principal Monies and Interest, with the said Annuities, shall be payable and paid thereout, pursuant to the said Order, to the Person or Persons advancing such Monies at Interest, their respective Executors, Administrators, and Assigns; but as to the Annuities, the same are to be paid as aforesaid, during the Term of the natural Life or Lives of the Person or Persons to be nominated by each such Purchaser or Contributor, as before mentioned: And that all and every such Purchaser and Purchasers of such Annuities, and their Executors, Administrators, or Assigns, shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuity or Annuities so by him, her, or them, respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities, or Monies advanced at Interest as aforesaid, shall be subject or liable to the Tax charged, or to be charged, upon Land by Authority of Parliament.

XLII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Person or Persons advancing and lending Money at Interest as aforesaid, and also for the Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign their respective Interest Monies and Annuities, or any Part thereof, and their respective Right, Title, and Interest therein, or to any Part thereof, with their respective Orders for the same, and so *toties quoties*; and a Memorandum or Entry of all such Orders and Assignments shall be made in the Book to be kept for that Purpose, at the Charge of the said Commissioners; for which Entry or Memorandum two Shillings and Sixpence, and no more, shall be paid; and no such Assignment shall be deemed valid, unless such Memorandum or Entry shall be first made as aforesaid.

XLIII. And be it further enacted by the Authority aforesaid, That as the Payment of the said respective Annuities shall cease by the Death of the Person or Persons on whose Life or Lives the same shall be granted, the said Rates and Assessments shall be proportionably lowered, but so as not to occasion a Deficiency in the Monies wanting to defray the several Charges and Outgoings required by any Thing done in pursuance of this Act.

XLIV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and impowered, as and when any of the said Annuities shall cease by the Death of the Person or Persons on whose Life or Lives the same shall have been granted, to raise Money by the Sale of any other Annuity or Annuities, so as the Monies to be raised by such Sale do not exceed the Monies borrowed at Interest as aforesaid; which said last-mentioned Annuities shall be subject to and governed by the Powers, Authorities, and Directions aforesaid respecting Annuities; and the Monies to be received by the said Commissioners upon Sale of the said last mentioned Annuities shall be applied in Discharge of the said Interest Monies, as far as the same will extend and go, any Thing herein contained to the contrary thereof notwithstanding.

XLV. Provided always, and be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies which shall be raised by virtue of this Act,

Agreements between Landlord and Tenant not vacated.

If Collectors become insolvent, the Money to be again assessed.

Commissioners may borrow Money at Interest, or raise Money by Sale of Annuities,

not exceeding 5000 l.

Commissioners may order Repayment of Monies borrowed, and Interest, &c. After Order signed, Monies advanced to be charged upon the Rates.

Annuities deemed indefeasible Estates.

and not to be chargeable to the Land Tax.

Annuities may be assigned.

Entries to be made by the Clerk.

As Annuities die, the Rates to be lowered.

When Annuities cease by Death, other Annuities may be sold, to raise Money for the Payment of Interest.

Expences of passing this Act to be first paid,

Any other Street
in the Parish
may be paved,
upon Petition to
the Commis-
sioners,
(Ex. option.)

and then such
Street to be un-
der their Go-
vernment, &c.
as the Act com-
prehended in this
Act.

Leaseholders,
&c. questioning
the Validity of
such Petition, to
bring their Ac-
tion in three
Months.

After three
Months, Evi-
dence of the
Commissioners
Order to be
deemed suffi-
cient.

Penalties may be
mitigated.

XLVI. And be it further enacted by the Authority aforesaid, That if at any Time hereafter Two- thirds or more of the Leaseholders and Landlords or Owners of Houses and Tenements, within any of the said other Streets, Lanes, Alleys, Courts, Passages, or Places, situate and being in the said Parish of *Saint Paul, Shadwell* (other than such of them as have been new paved by virtue of the said recited Act for paving *Resmery Lane*, and other the Places before mentioned), or within any new Street, Row, Lane, Court, Alley, Passage, or Place, hereafter to be erected and built within the said Parish, shall at any Time hereafter apply by Petition to the said Commissioners, expressing their Desire to have the several Regula- tions, Powers, and Authorities, given and directed by this Act, to extend to and comprehend such Street, Lane, Alley, Row, Court, Passage, and Place; that then it shall and may be lawful for the said Com- missioners to order the same accordingly, and the Pavement of the said Street, Lane, or other Place, com- prehended by such Petition, shall, after an Order made by the said Commissioners for the Purposes aforesaid, be from thenceforth vested in the said Commissioners appointed by this Act; and such Street or Place shall remain under the same Government, Direction, and Management of them, and their Officers, or other Persons appointed by them for that Purpose, as the said several Streets, Lanes, and Places, first au- thorized to be paved; and the said Commissioners, Officers, Servants, Workmen, and other Persons acting under them, shall have the same Power and Authority in, over, and through such Street or Place, petitioned for as aforesaid, as also over the several Messuages, Lands, Tenements, and Hereditaments, and the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and their Officers, Servants, and Workmen, and all and every other Per- son or Persons whatsoever, interested in or intitled to any Privilege therein, and every Matter and Thing relating to the Premises, as the said Commissioners appointed by this Act, and their Officers, Servants, and Workmen, acting under them, are invested with by this Act; and the said Commissioners are hereby authorized and empowered to make the like Rates and Assessments upon the several Messuages, Lands, Tenements, and Hereditaments, contained in such Street, Lane, Alley, Passage, or Place, petitioned for as aforesaid, as they are hereby authorized and empowered to do in the Streets, Lanes, and Places, first mentioned to be paved; and to raise, by the Ways and Means herein before mentioned, so much Money as shall be sufficient to defray the Charges and Expences arising in consequence of such Petition and Order as aforesaid, which shall stand charged upon the Rates and Assessments to be made by virtue of this Act, in like Manner as the Monies herein before directed to be raised, and shall be subj. et governed by the like Clauses, Authorities, and Directions, herein before set forth respecting the same; and every Clause, Matter, and Thing, contained in this Act, shall be construed, adjudged, deemed and taken to extend to every such Street, Lane, and Place, petitioned for as aforesaid, and also to the said several Messuages, Lands, Tenements, and Hereditaments whatsoever, situate, lying, and being therein, and the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and all and every other Person or Persons whatsoever interested or intitled to any Privilege therein, or to any Matter or Thing relating to the Premises; and the like Penalties, Forfeitures, and Punishments, shall be inflicted, and for the like Causes, as are herein expressed, and shall be sued for, recovered, levied, and executed, in the same Manner.

XLVII. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for any of the said Leaseholders, Landlords, or Owners, at any Time within the Space of three Months from the Date of the Order of the said Commissioners, to be made upon such Petition as aforesaid, to prosecute any Action or Suit in any of his Majesty's Courts of Record at *Westminster*, against the said Commissioners making such Order, or their Surveyor, for trying the Validity of such Petition and Order, in which Action Coits of Suit shall be awarded to the Party in whose Favour a Verdict shall be found.

XLVIII. Provided always, nevertheless, and be it further enacted by the Authority aforesaid, That in case no such Action shall be commenced and prosecuted with Effect, within the Space of three Months from the Date of the Order of the said Commissioners, to be made upon such Petition as aforesaid, that then, from and after the Expiration of the said three Months, the producing of the Order of the said Com- missioners shall be deemed, adjudged, and taken, in any Court of Law or Equity, to be good and sufficient Evidence of the Street, Lane, or Place, so petitioned for as aforesaid, and mentioned in such Order, being made Part of, and comprehended in, the several Streets, Lanes, and Places, hereby authorized to be paved; and that the same is comprised in the respective Clauses, Powers, and Authorities, contained in this Act, and of the Right of the Commissioners to exercise the several Powers and Authorities contained herein, over or respecting any such Street, Lane, or Place.

XLIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, from Time to Time, to compound and agree with any Person or Persons against whom any Action or Actions, Suit or Suits, shall be brought, commenced, or prosecuted, for any Penalty or Penalties contained in this Act, or in any Contract or Contracts hereafter to be entered into, on account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper; and also to mitigate, compound, or lessen, any other the Forfeitures incurred under this Act, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of any Clause comprised in this Act, or of such Con- tract or Contracts, and all the Costs, Charges, and Expences, which shall be occasioned thereby, and to as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above one Moiety of the said Forfeitures respectively.

L. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any of the Justices of the Peace (although such Justices shall be Commissioners for the Purposes of this Act) to hear and determine any of the said Offences, and also to hear and determine, at any Sessions of the Peace for the said County, any Appeal that may be brought or prosecuted against any Rate or Conviction to be made under and by the Authority of this Act, although such Justice or Justices shall have signed or allowed such Rate, or made such Conviction; and in all Cases where Cognizance is given by this Act to any Justice or Justices of the Peace, it shall and may be lawful for such Justice or Justices to administer an Oath to any Person or Persons for more certain Information in the Matter depending: And in all Cases where the Commissioners are authorized and impowered to bring or institute any Action at Law, or where it shall be fit or necessary to prosecute any Information or Indictment touching the Premises, the same shall and may be brought, instituted, and prosecuted, by or in the Name or Names of the Treasurer or Treasurers appointed by virtue of this Act; and such Treasurer or Treasurers is and are hereby indemnified in every such Action or Actions, Prosecution or Prosecutions, by the Monies to be raised by virtue of this Act.

Commissioners who are Justices may act in any Appeal, &c. as any other Justices.

Where Commissioners are impowered to bring Actions, the same may be instituted in the Name of the Treasurer. How he is to be indemnified.

Persons aggrieved may appeal to the Sessions.

LI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any Sessions of the Peace to be held for the said County, and within three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, twenty-one Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners, and within two Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at any such Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper, and are authorized to do at any Quarter Sessions; and the Determination of such Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

LII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of one Justice of the Peace acting in and for the said County or Place, and within his proper Jurisdiction; which Warrant such Justice is hereby impowered and authorized to grant, upon the Confession of the Party or Parties, or upon the Information of any one or more credible Witness or Witnesses upon Oath; and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) upon Demand to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted), shall be paid to the Treasurer to the said Commissioners for the Time being, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and impowered, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the common Gaol or House of Correction of such County or Place, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor less than fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Penalties and Forfeitures how to be recovered and applied.

LIII. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners to reward any Informer or Informers, as they shall think proper, so as such Reward does not exceed one Moiety of the Penalties and Forfeitures arising from the Information of such Informer or Informers, any Thing herein contained to the contrary notwithstanding.

Commissioners may reward Informers.

LIV. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be hereafter done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damages in an Action on the Case.

Distress not to be deemed unlawful for Want of Form.

LV. Provided always, and be it further enacted by the Authority aforesaid, That no Plaintiff or Plaintiffs shall recover in any Action, for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings, or Orders and Judgments, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends hath been made.

LVI. And be it further enacted by the Authority aforesaid, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of, or only signed by, any Commissioner or Commissioners, or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal or Hands and Seals of, or only signed by, any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Stamp-duty whatsoever.

Writings to be without Stamps.

Proceedings to be entered in a Book.

Books may be read in Evidence.

Proceedings not to be quashed for Want of Form, or removeable by Certiorari.

Limitation of Actions.

General Issue.

Treble Costs.

Publick Act.

LVII. And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners at their Meetings shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered shall be signed by the Clerk or Clerks at any Meeting of the said Commissioners assembled, as the Case shall require; and such Orders shall be deemed and taken to be original Orders; which said Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

LVIII. And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in, or relating to, the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

LIX. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until twenty Days Notice shall be thereof given in Writing to the Clerk to the said Commissioners, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant or Defendants in such Actions 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 thereon, and the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, to have been 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 so brought before twenty Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts 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; or if, upon any Demurrer or Demurrers in such Action or Actions, 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 for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any Cases by Law.

LX. And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Justice as a Publick Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without the same being specially pleaded.

C A P. LV.

An Act to explain and amend an Act, passed in the fourteenth Year of his present Majesty's Reign, intituled, *An Act for the better Relief and Employment of the Poor within the Parish of Saint Leonard, Shoreditch, in the County of Middlesex; and for building a Workhouse; and for purchasing a Piece of Land for a Burial Ground, for the Use of the said Parish.*

C A P. LVI.

An Act for applying the Funds provided for rebuilding the Offices of the Six Clerks of the King's Court of Chancery, by an Act, made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Register and Accountant-general of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices; in building Offices for the said Six Clerks in the Garden of Lincoln's Inn, instead of rebuilding the present Six Clerks Office in Chancery Lane; and for other Purposes.*

Preamble.
Act 14 Geo. III.
recited.

WHEREAS by an Act of Parliament, passed in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Register and Accountant-general of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices; it was (among other Things) enacted, That out of the Securities purchased with the Surplus Money mentioned in the said Act, and out of the Interest produced and to be produced from such Securities, and out of the Surplus Interest which should arise or be produced from Securities purchased in pursuance of several Acts of Parliament in the said Act mentioned, and out of the Interest which should arise or be produced from Securities to be purchased in pursuance of the said Act, such Sum or Sums of Money as the Lord High Chancellor of Great Britain, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of Great Britain for the Time being, should in his or their Discretion deem necessary, should be applied, under the Direction of the said Court, in the first place, in paying and defraying the Charges and Expences attending the passing and obtaining the said Act, and then in rebuilding the said Office called *The Six Clerks Office*, with the Offices belonging thereto, and in purchasing Ground and Houses for that Purpose, if any should be deemed necessary by the said Court, and in providing a proper Place for transacting the Business*

Business of the said Six Clerks Office during the Time such Office should be rebuilding; and that the Ground and Houses to be purchased for the Purpose of rebuilding the said Six Clerks Office, if any should be deemed necessary, should be conveyed to, and vested in, the said Six Clerks, to hold to them and their Successors, for ever, in Trust, for the Purposes in the said Act mentioned: And whereas the Office of the said Six Clerks, and the Ground belonging thereto, is so surrounded by Houses and other Buildings, that the said Office is in continual Danger of Accidents by Fire, and a sufficient Space of Ground contiguous thereto cannot be obtained for rebuilding the same, detached from any Dwelling-houses: And whereas the Honourable Society of *Lincoln's Inn* are Owners of a convenient Spot of Ground, Part of the ancient Garden belonging to the said Society, which will better answer the Purposes intended by the said Act; and the Worshipful the Masters of the Bench of the said Society are willing, and have agreed to sell and dispose of so much Ground, Part of the said Garden, as shall be necessary for the Purpose of erecting the said Office thereon; that is to say, All that Piece or Parcel of Ground, situate on the East Side of the said Garden next *Chancery Lane*, abutting South on Ground granted or agreed to be granted by the said Society for the Purpose of erecting Offices for the Register and Accountant-general of the said Court of Chancery; East in Part on Ground adjoining to *Chancery Lane*, belonging to the said Society, which is to continue their Property, but to be left vacant for an Area, only before the Six Clerks Office to be inclosed with an Iron Pallisade Railing by the said Six Clerks, but not to be used by them for any Purpose whatsoever; and in other Part on *Chancery Lane* aforesaid, West, on Ground belonging to the said Society, to be laid open, Part of which, not exceeding three Feet in Width, for the Length of eighty-seven Feet three Inches from the South End of the same, and three Feet nine Inches in Width for the remaining Part of the said West Side, to be inclosed with an Iron Pallisade Railing by the said Six Clerks, as an Area before the said Offices, but not to be used by them for any Purpose whatsoever; and North on Ground belonging to the said Society (which is to be vested in the said Six Clerks, under certain Restrictions as herein after is mentioned, for the Use of the said Offices), containing in Breadth from East to West, at the South End, sixty Feet of Assize, and from North to South on the East Side, one hundred and sixty-one Feet seven Inches and a Quarter of Assize, with a Break of two Feet nine Inches Westward in the said East Side, at the Distance of eighty-seven Feet three Inches from the South End, containing in Breadth from East to West, at the North End, fifty-four Feet six Inches of Assize, and in Length from North to South, on the West Side, one hundred and sixty-one Feet seven Inches and a Quarter of Assize, with a Break Eastward in the said West Side of two Feet and nine Inches, at the Distance of eighty-seven Feet three Inches from the South End; which Dimensions are exclusive of the Footings or Plinths which are allowed to project on the Surface of the Ground on the East, North, and West Sides of the same, two Inches; also all that Piece or Parcel of Ground, situate between the North Boundary of the before-mentioned Piece or Parcel of Ground and the North Wall of the said Garden, containing in Length from East to West, on the South Side thereof, next the said Ground, fifty-four Feet six Inches of Assize, abutting South on the said first-mentioned Ground, East on *Chancery Lane*, North on the Garden Wall aforesaid, and West on Ground belonging to the said Society; all which Pieces or Parcels of Ground are situate on a Parallel with the Buildings now carrying on in the said Garden, and commence, on the Southermost Boundary thereof, at the Distance of forty-two Feet nine Inches Southward of the Center of the said Buildings: And the said Ground hath been approved as proper for the Scite of the said Office by the Right Honourable the Lord High Chancellor, who hath fixed a Price thereon, which the said Benchers have agreed to accept; but the Funds provided by the said Act cannot be applied in purchasing the said Ground, and in building the said Office thereon, without the Authority of Parliament: And in as much as the Soil and Freehold of the said Garden is vested in Trustees, upon Trust, for the said Society, a good Title cannot be made to the said Ground without the Aid of Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of the Securities purchased with the Surplus Money mentioned in the said recited Act, and out of the Interest produced, and to be produced, from such Securities, and out of the Surplus Interest produced, or to be produced, from Securities purchased in pursuance of the several Acts in the said recited Act mentioned, and out of the Interest produced, or to be produced, from Securities purchased in pursuance of the said recited Act, such Sum and Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, shall, in his and their Discretion, deem necessary to be paid by virtue of any Order or Orders of the said Court, and be applied under the Direction of the said Court in paying and defraying the Charges and Expences attending the passing and obtaining of this Act, and in purchasing the said Ground belonging to the said Society of *Lincoln's Inn* herein before mentioned and described, and in building thereon an Office for the said Six Clerks, and the Offices thereto belonging, as well as in carrying into Execution the Purposes of the said recited Act, except so much thereof as relates to the rebuilding the said Six Clerks Office in the Place where the same now stands, and except so far as the said recited Act is hereby altered or varied.

The Lord Chancellor, &c. to apply certain Sums, to be raised as mentioned 14 Geo. III. for the Purposes of this and the said recited Act.

Exception.

Ground before described to be vested in the Six Clerks, to erect thereon an Office, &c.

II. And be it further enacted and declared, That the said Parcel of Ground belonging to the said Society, herein-before mentioned and described, shall, from and after the passing of this Act, be, and the same is hereby vested in the said Six Clerks, to hold to them and their Successors, for ever, to the Intent to erect thereon an Office for the Six Clerks, and an Inrolment Office, such Inrolment Office being now Part of the Building of the present Six Clerks Office; such Offices respectively to be used and employed in such and the same Manner as the said Office called *The Six Clerks Office*, and the Inrolment Office, are now used and employed, and to and for no other Use or Purpose whatsoever.

After removal of the Offices, the Land Tax to be paid in the same Place and Manner as heretofore.

If any Officer refuse to pay the Sums rated, the Money to be recovered by Distress.

After the new Building for the Offices shall be completed, the old Building and Ground to be sold, &c.

Upon Sale and Conveyance of the old Building and Ground, Purchasers to pay the Money into the Bank, pursuant to Act 12 Geo. I. c. 32. and 12 Geo. II. c. 24.

The annual Produce of Money arising by the Sale of the said Premises to be paid to the Six Clerks, in lieu of their Chambers, &c.

III. And whereas the said Office of the said Six Clerks, and the Offices thereto belonging, and the said Six Clerks, and the Sworn Clerks, Waiting Clerks, and Clerks of Inrolments of the said Court of Chancery, executing their several Offices within the Liberty of the *Rolls* in the County of *Middlesex*, for and in respect of their said several and respective Offices, have, pursuant to divers Acts of Parliament, been taxed, rated, and assessed, to the Payment of the Land Tax within the said Liberty, and it will be a great Injury to such Liberty if the said Offices shall not continue to be rated and assessed within such Liberty; be it further enacted, That from and after the Removal of the said Offices respectively into the Building so to be erected upon the Ground belonging to the said Society of *Lincoln's Inn*, and notwithstanding such Removal, such Offices shall respectively continue to be taxed, rated, and assessed, for the Payment of the Land Tax within the said Liberty of the *Rolls* only, and shall not be taxed, rated, or assessed, within any other Division, Parish, or Place whatsoever, nor shall the said Offices, or any of them, be taxed, rated, or assessed, for the Payment of any other Rates, Taxes, or Assessments whatsoever, imposed or to be imposed, save as herein-before is mentioned; nor shall the said Society of *Lincoln's Inn* be rated or taxed, for or in respect of the said Offices, to any Rates, Taxes, or Assessments whatsoever.

IV. And be it further enacted by the Authority aforesaid, That when any Officer or Officers belonging to the said Offices shall neglect or refuse to pay the Sum or Sums of Money, which shall be rated or assessed upon them, or any of them, by virtue of any Act for granting an Aid to His Majesty by a Land Tax, any two or more of the Commissioners, appointed by such Act for the Liberty of the *Rolls*, shall and may certify by Writing, under their Hands and Seals, such Neglect or Refusal, and the Sum payable by virtue of such Act, to the Commissioners for executing such Act in the County or Place where such Officer or Officers reside, and any two or more of such Commissioners are hereby authorized and required, upon Receipt of such Certificate, by Warrant under their Hands and Seals, to authorize and empower the respective Collectors of the Parish or Place where such Officer or Officers reside to distrain the Goods and Chattels of such Officer or Officers, and the Distress or Distresses so made to detain and keep for the Space of four Days; and if such Officer or Officers do not pay the said Sum or Sums of Money, for which such Distress shall be made as aforesaid, within the Space of four Days, that then the said Goods and Chattels so distrained as aforesaid shall and may be appraised and sold by two such honest and sufficient Persons as the said Commissioners who shall sign the said Warrant shall nominate and appoint, and the Monies arising thereby shall be paid to the Collectors of the said Liberty of the *Rolls*, for and towards Satisfaction of the said Sum or Sums of Money, and the Surplus (if any be) shall be returned to the Owner of the said Goods, after the Charge of the said Distress and Sale shall be deducted.

V. And whereas the said Six Clerks are possessed of Chambers or Rooms over the said Office, called *The Six Clerks Office*, which were anciently the Residence of the said Six Clerks, but it will be greatly inconvenient and dangerous if any such Chambers are erected over the Office for the said Six Clerks, to be erected in pursuance of this Act, whereby the said Six Clerks will lose the Benefit and Emolument arising from such Chambers: And whereas, by reason of the said Office, called *The Six Clerks Office*, and the Offices thereto belonging, being, in pursuance of this Act, to be erected on the said Ground belonging to the said Society of *Lincoln's Inn*, the Ground whereon such Offices now stand will, from and after the Building and Removal of the said Offices, be no longer applied for the Purposes of such Offices; be it therefore further enacted, That when and so soon as conveniently may be after the new Building for the said Six Clerks Office, and the Offices thereto belonging, shall be completed, the said Ground belonging to the said Six Clerks, and the Buildings standing thereon, shall, by Order of the said Court of Chancery, be sold, in such Manner as the said Court shall direct, and the Money to arise by such Sale shall be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-general of the said Court; and upon Payment by the Purchaser or Purchasers respectively of his, her, or their Purchase-money into the Bank of *England*, as aforesaid, the said Six Clerks shall grant, convey, and deliver the said Ground and Premises, or such Part or Parts thereof respectively as shall be so sold unto such Purchaser or Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, as the said Court shall direct.

VI. And be it further enacted, That upon every such Sale and Conveyance of the said Ground and Premises as aforesaid, the Money to arise by such Sale or Sales shall be paid by such Purchaser or Purchasers, his, her, and their Heirs, Executors, or Administrators, as aforesaid, into the Bank of *England*, in the Name and with the Privity of the said Accountant-general of the said Court, to be placed to the Account of Money arising by Sale of the *Six Clerks Office*, pursuant to the Method prescribed by the Act of the twelfth Year of the Reign of King *George* the First, Chapter the thirty-second, and the general Orders of the said Court, and without Fee or Reward, pursuant to the Act of the twelfth Year of King *George* the Second, Chapter twenty-fourth; and the same shall there remain, until the same shall, 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, on such Government or Parliamentary Securities as in and by such Order shall be directed, to the Intent that the Interest and annual Produce, arising from the Money so to be placed out, may be applied for the Purposes herein-after mentioned; and that the said Court of Chancery may, by Order or Orders of the said Court, from Time to Time, change the Security or Securities on which the said Monies shall be so placed out, as the said Court shall think expedient.

VII. And be it further enacted, That the Interest and annual Produce which shall arise or be produced from Securities, to be purchased in pursuance of this Act, with Money arising by Sale of the said Ground and Premises, shall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account, to be raised in the Books kept there for the Suitors of the said Court, of Interest arising from Money placed out in pursuance of this Act, and shall from Time to Time be paid, by virtue of any Order or Orders of the said Court, to the said Six Clerks and their Successors, in Lieu and Recompence of the Chambers so belonging to their several Offices, and for the Purpose

pose of keeping the said Offices to be erected in pursuance of this Act in proper Repair, and what shall be so ordered to be paid to the said Six Clerks shall be considered as a Freehold Estate in them respectively, as coming in Lieu of their said Chambers.

VIII. Provided always, That from such Time as the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the Time being, shall deem the Purposes of the said recited Act, and of this Act, so far as respects the Funds provided by the said recited Act to be fully satisfied, and shall in Testimony thereof, by an Order of the said Court, declare the same, and direct the Accountant-general of the said Court not to issue any Draft, and the Governor and Company of the Bank of *England* not to issue any further Sum or Sums of Money out of the Funds provided by the said recited Act for any of the Purposes aforesaid, the Appropriation by the said recited Act and herein-before made of the Surplus Money, placed to the Account of Interest arising from Monies placed out in pursuance of the said Act of the twelfth Year of his late Majesty King *George* the Second, and of the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of an Act of the fifth Year of His present Majesty, and also of the Interest of Securities to be purchased pursuant to the said Act of the fourteenth Year of his present Majesty, shall from thenceforth cease and be at an End.

Proviso with respect to the issuing of Money.

IX. Provided always, and be it further enacted, that no Casement, Privy, or House of Office whatsoever, be erected on any Part of either of the Pieces or Parcels of Ground herein-before described above the Level of the Ground Floor of the said Offices; and that no Building whatsoever be erected on the last mentioned Piece or Parcel of Ground to rise above the Level of the Springing of the Arches in the Fronts of the Buildings, intended to be erected by the said Society, or within thirty Feet of the Western Boundary of the said last-mentioned Ground; and also, that the said last-mentioned Ground be inclosed on the Western Boundary by an open Iron Pallisade Railing only, and those Parts of the Eastern Boundary not built against by a Wall, the Top of the Coping of which shall be on a Level with the Springing of the said Arches; and also, that the external Plan and Elevations of the Basement and Ground Story of the Buildings to be erected on the said Pieces or Parcels of Ground do correspond with the Buildings intended to be erected by the said Society; and that the Chimney Shafts be erected regularly, and be carried up to such Heights as not to annoy or be offensive to the Rooms or Chambers in the said Buildings intended to be erected by the said Society; and that no Act or Thing be done upon any Part of the said several Premises to annoy or be offensive to any of the said Chambers, or the Occupiers thereof.

Proviso with respect to different Parts of the Building.

X. Provided also, and be it enacted, That the said Society do not erect any Building or Buildings whatsoever between the East Front of the Buildings now carrying on by the said Society and the Western Boundary of the said first-mentioned Piece or Parcel of Ground.

Proviso.

XI. And it is hereby further enacted and declared, That the said Offices or Buildings to be erected in pursuance of this Act, and the Offices or Buildings to be erected adjoining thereto, for the Use of the Register and Accountant-general of the said Court of Chancery, and all other Buildings already erected, or begun, or which may hereafter be erected or begun, on any Part of the Ground or Premises of *Old Lincoln's Inn*, shall not be subject to all or any of the Regulations and Directions contained in an Act of Parliament, passed in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for the further and better Regulation of Buildings and Party Walls; and for the more effectually preventing Mischief by Fire within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places, within the Weekly Bills of Mortality, the Parishes of Saint Mary le Bon, Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex; and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid contrary to Law; any Thing in the said Act contained to the contrary notwithstanding.*

The Offices and Buildings to be erected not to be subject to the Regulations of 14 Geo. III.

C A P. LVII.

An Act for watering *Piccadilly*, from the End of *Berkeley Street* to *Hyde Park Gate*, in the Parish of *Saint George Hanover Square*, in the County of *Middlesex*.

C A P. LVIII.

An Act for lighting the Streets, Lanes, Roads, and publick Passages, within the Town of *Hampstead*, and Parts adjacent within the Parish of *Hampstead*, in the County of *Middlesex*; and for establishing a Nightly Watch therein, and a Patrole between the said Town and *London*.

WHEREAS the Town of *Hampstead*, in the Parish of *Hampstead*, in the County of *Middlesex*, is very populous and extensive; and from its Situation, the Inhabitants thereof, and of the Parts adjacent within the said Parish, as also all Persons passing to and from the same in the Night-time, are exposed to Robberies and other Outrages: And whereas the lighting the said Town, and Parts adjacent within the said Parish, and the establishing therein a proper and well regulated nightly Watch, and a Horse and Foot Patrole to conduct Passengers between the said Town and *London* in the Night-time, would greatly contribute to prevent those Evils; 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 Minister of the said Parish for the Time being, the Justices of the Peace for the said County of *Middlesex* resident in the said Parish, together with *Erasmus Warren, Gerrard Howard, Stephen Guyon, Sir John Honeywood, Robert Cary, Joseph Webb, John Peter Blaquire, Robert Vincent, Thomas Walker, Thomas Langdale, Isaac Ardejoif, Latham Arnold, Richard Clay, George Webster, George Thomas, George*

Preamble.

Commissioners' Names.

Commissioners
dying, &c. new
ones to be
chosen.

Qualification of
Commissioners.

50l. Penalty for
acting, if not
qualified.

Commissioners
first Meeting.

Method of
Adjournment.

All Proceedings
to be at publick
Meetings.

Commissioners
to bear their
own Expences.
Commissioners
in the Commis-
sion of the Peace
may act as Jus-
tices.
Justices may ad-
minister Oaths.
Actions to be
brought in Name
of the Treasurer
or Clerk.
Commissioners
may appoint Of-
ficers,

and allow them
Salaries.

Officers to ac-
count to Com-
missioners :

George Collins, John Stock, Edward Montagu, Thomas Gardner, Thomas Lane, Edward Kynaston, John Hyndman, Thomas Rumsley, John Foster, Thomas Smith, Richard Norris, Maurice Griffith, William Beaumont, George Goodwin, William Jefferys, Robert Simmonds, John Stokes, Edward Cartwright, and their Successors, to be elected in Manner herein-after mentioned, and the Churchwardens of the said Parish for the Time being, are hereby appointed Commissioners for putting this Act in Execution; and when any of the Commissioners herein named, or hereafter to be elected, shall die, resign, refuse to act, or shall remove from, and reside out of, the said Parish, it shall be lawful for the surviving or remaining Commissioners, or any five or more of them, from Time to Time, and they are hereby required to elect and appoint one other proper Person, residing in the said Parish, to be a Commissioner in the Stead of every such Commissioner so dying, resigning, refusing to act, or removing, as aforesaid; and every Person so elected and appointed shall be joined with the surviving or remaining Commissioners, and is hereby impowered to act in the Execution of this Act, in as full and ample a Manner, to all Intents and Purposes, as if such Person had been particularly named in and appointed by this Act.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless, at the Time of his acting therein he shall rent or occupy Messuages, Lands, Tenements, or Hereditaments, within the Limits of this Act, of the yearly Value of twenty Pounds: and if any Person or Persons, hereby made incapable to act, shall presume to act as a Commissioner, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds, to be recovered in any of his Majesty's Courts of Record at *Westminster*; and every Person so prosecuted, or against whom such Action shall be brought, shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof given on the Part of the Plaintiff or Plaintiffs in such Action, than that such Person hath acted as a Commissioner in the Execution of this Act; and the Money to be recovered in such Action shall, after Payment of the Costs and Expences attending such Action, be applied to the Purposes of this Act.

III. And be it further enacted by the Authority aforesaid, That the first Meeting of the said Commissioners, to be had by virtue of this Act, shall be held on the second *Wednesday* in the Month of *June*, in the Year one thousand seven hundred and seventy-five, or within fourteen Days then next after, at the House of *Robert Simmonds*, known by the Name of the *Long Room*, in the said Town of *Hampstead*, who shall then and there proceed to put this Act in Execution; and shall then, and from Time to Time afterwards, adjourn and meet at the same, or at such other Place or Places within the said Parish, as they the said Commissioners, or any five or more of them, shall think fit, for putting this Act in Execution, publick Notice of such Meetings being given in the Church of the said Parish on the *Sunday* next preceding every such Meeting respectively.

IV. Provided always, That two Commissioners shall be sufficient for the Purpose of Adjournment only; and if, at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Commissioners to act, or to adjourn to another Day; or in case it shall by any Means happen that there shall be no Adjournment made; then the Clerk to the said Commissioners, or in case of Failure thereof, then any five of the said Commissioners shall, by causing Notice to be affixed upon the Door of the Church of the said Parish, at least three Days before the next Meeting, appoint the Commissioners to meet at the Place where the last preceding Meeting was appointed to have been held, upon some Day, not exceeding ten Days from the Day on which such last Meeting was appointed to have been held; and all Proceedings of the said Commissioners shall be at publick Meetings held in pursuance of this Act, and not otherwise; and in case of an Equality in Votes, the Chairman shall have the casting Voice.

V. And be it further enacted by the Authority aforesaid, That at all Meetings to be held under and by virtue of this Act, the said Commissioners shall bear and pay their own Expences.

VI. And be it further enacted by the Authority aforesaid, That it shall be lawful for such Commissioners as are in the Commission of the Peace for the County of *Middlesex* to act as Justices within their Jurisdiction for putting this Act in Execution, notwithstanding their being Commissioners, (except in such Cases where they shall be personally interested;) and in all Cases where Cognizance is given by this Act to any Justice or Justices of the Peace it shall be lawful for such Justice or Justices to administer an Oath to any Person or Persons, for more certain Information in the Matter depending; and in all Cases where the Commissioners are hereby authorized to bring or institute any Action or Actions at Law, the same shall and may be brought or instituted in the Name of the Treasurer or Clerk appointed by virtue of this Act.

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall and may, and they are hereby impowered, from Time to Time, to elect and appoint one or more Treasurer or Treasurers, resident within the said Parish, to receive the Monies to be raised and collected in pursuance and for the Purposes of this Act; and also one or more Collector or Collectors of the Rates or Assessments herein-after directed to be made; and such other Person or Persons as the said Commissioners may judge necessary, to be assisting in carrying this Act into Execution; and from Time to Time to remove such Treasurer or Treasurers, Collector or Collectors, Person or Persons, and appoint such other Person or Persons, in his or their Stead and Place; and out of such Rates or Assessments shall and may make such Allowances to all such Treasurers, Collectors, and other Persons, and take such Security for the due Execution of their respective Offices, as they the said Commissioners, or any five or more of them, in their Discretion shall think proper.

VIII. And be it further enacted by the Authority aforesaid, that the said Treasurers, Collectors, and other Person and Persons to be elected and appointed as aforesaid, shall, at all Times when thereunto required by the said Commissioners, or any five or more of them, make up and render to the said Commissioners, or any five or more of them, or to such Person or Persons as they, or any five or more of them, shall for that Purpose appoint, full, true, and perfect Accounts in Writing, verified upon their Oaths respectively (which Oath the said Commissioners, or any five or more of them, are hereby impowered to administer), of all Monies by them received and paid by virtue of their said Office;

fic; and shall pay over the Money that upon any such Account shall appear to be remaining in his or their Hands to such Person or Persons as the said Commissioners, or any five or more of them, shall, by Writing under their Hands, appoint to receive the same, together with the Vouchers in Support of such Account, and also the Books, Papers, and Writings, in their respective Custody or Power, anyways relating to this Act; and in case any such Treasurer, Collector, or other Person or Persons, shall refuse or neglect, for the Space of fourteen Days after being thereunto required as aforesaid, it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby authorized and impowered to commence and prosecute one or more Action or Actions, in any of his Majesty's Courts of Record at *Westminster*, against the Person or Persons so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any five or more of them, or by any Person or Persons to be appointed by them for that Purpose, of any such Refusal or Neglect as aforesaid, to any one or more of the Justices of the Peace for the County or Place wherein the Party or Parties so neglecting or refusing shall be and reside, such Justice and Justices may, and is and are hereby authorized and impowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Person or Persons so refusing or neglecting to be brought before him or them, and upon his or their appearing, (or not being to be found) to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice or Justices, that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and is and are hereby authorized and impowered, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons, offending in the Premises respectively: And if no such Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining for the same; or in case of Refusal to account as aforesaid, or that it shall appear to such Justice or Justices, by the Confession of the said Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, or to the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Officers, Person or Persons, and he or they shall refuse to deliver up the same as aforesaid; then, and in either of the said Cases, such Justice or Justices shall commit every such Offender to the common Gaol of the County or Place where such Offender shall be and reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said Commissioners, or any five or more of them, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners, or any five or more of them, are hereby impowered to make), and until he or they shall deliver up such Books, Papers, and Writings, as aforesaid, or give Satisfaction in respect thereof: Provided always, That no Person who shall be committed on account of his having no Goods or Chattels, shall be detained in Prison for any longer Term than two Calendar Months.

On Default thereof, to be sued,

or carried before a Justice.

Justices may issue Warrant of Distress.

When sufficient Distress cannot be found, &c. the Offender to be committed.

Provido.

On Death or Bankruptcy of Officers, Executors, &c. to make good all Deficiencies;

and deliver all Books, &c. concerning his Office.

On Neglect thereof, Executors, &c. may be prosecuted.

Commissioners may direct Lamps to be set up,

IX. And be it further enacted by the Authority aforesaid, That upon the Death, or Bankruptcy or Insolvency of any such Treasurer, Collector, or other Officer or Person, to be appointed as aforesaid, before he or they shall have paid and delivered up all the Monies he or they shall have received by virtue of this Act, the respective Executors or Administrators, in case of the Death of any such Treasurer or other Officer or Officers, or the Assignee or Assignees of his and their Estate and Effects, or other Person or Persons possessing the same, or in whom the same have or hath vested, in case of Bankruptcy or Insolvency, shall, within forty Days next after such Decease, or Bankruptcy or Insolvency, deliver to the said Commissioners, or any five or more of them, at one of their Meetings, an Account in Writing, under his, her, or their Hand or Hands, of the Monies and Effects which such Person or Persons so deceased, or become Bankrupt or insolvent, had been, by virtue of this Act, appointed to collect or receive, and which shall then have been collected or received by such Person deceased, or become Bankrupt or insolvent; and shall also pay, previous to the paying any other Debts or Sums of Money, all such Monies as were in the Hands of such Persons respectively, at the Time of his or their Death or Insolvency, or the issuing of any Commission of Bankruptcy against him or them, and not paid over, or so much thereof as the said Estate will extend to pay; and shall likewise deliver all Books, Papers, and Things, concerning his Office, to such Person or Persons as the said Commissioners, or any five or more of them, by Writing under their Hands, shall appoint to receive the same; and every Executor or Administrator, Assignee, or other Person or Persons, possessed of such Monies, Estate, or Effects, as aforesaid, may plead such Payment, in any Action or Suit which may be brought against him, her, or them, for or on account of such Estate or Effects, or give the same in Evidence; and in case of Non-payment of such Monies, or Non-delivery of such Books, Papers, Writings, or Things, for the Space of seven Days after the same shall be demanded by any one of the said Commissioners, it shall be lawful for the said Commissioners, or any five or more of them, to commence, maintain, and prosecute, an Action or Actions in any of his Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, Assignee or Assignees, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person, or such Bankrupt or Insolvent, for Recovery thereof, or for Recovery of Damages in Lieu of such Books, Papers, Writings, and Things respectively; in which Action or Actions the said Commissioners bringing such Action or Actions shall be allowed their Costs.

X. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall and may, from Time to Time, direct and appoint such a Number and such Sort of Lamps, with Posts or Irons, to be set up and placed, and in such Manner, and in such Parts, within the said Town, and Parts adjacent within the said Parish, as they shall judge necessary and proper; and may

appoint
Watchmen,
and a Patrole.

may contract with any Person or Persons for furnishing such Lamps, and Posts or Irons, or may provide the same themselves; and may also contract or agree for the lighting, cleansing, supplying, and maintaining such Lamps; and shall also direct and appoint how long the same shall be and continue lighted, and during what Part or Parts of the Year; and shall also appoint such Number of able-bodied Men to be employed as Watchmen in the Night-time, for the Safety of the Inhabitants of the said Town, and Parts adjacent within the said Parish; and also such Number of Men to patrole the Road between the said Town and London, on Foot or on Horseback, for the Safety of Travellers (the said Watchmen and Patrole to attend at such Times and Places, and during all or any Part of the Year, and at such Hours, and to perform such Duty, and to go armed with such Weapons, as the said Commissioners, or any five or more of them, shall from Time to Time direct and appoint); and the said Commissioners are hereby impowered, from Time to Time, to make such Rules, Orders, and Regulations, for the better governing the Watchmen and Patroles, and all and every other the Purposes of this Act, as the said Commissioners, or any five or more of them, shall think proper; all which said Rules, Orders, and Regulations, shall be of the same Force and Effect, for the Purposes thereby intended, as if the same were enacted in the Body of this Act, provided such Rules, Orders, and Regulations, are not repugnant to the Laws of this Realm.

Lamps, &c.
vested in the
Commissioners.

XI. And be it further enacted, That from and after the passing of this Act, the Right and Property of all Lamps, Lamp Irons, Posts, and other Requisites, which shall be provided, erected, or fixed, under or by virtue of this Act, and every other Matter and Thing used in or about carrying the same into Execution, shall be, and the same and every Part thereof are hereby vested in the said Commissioners; and they, or any five or more of them, are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, or to prefer any Bill or Bills of Indictment (as the Case shall require), against any Person or Persons who shall break, spoil, injure, destroy, steal, take, or carry away any of the said Lamps, Lamp Irons, Posts, or any of the said Materials, Implements, or Things, herein-before vested in the said Commissioners, or any Part or Parts thereof.

Any Person wil-
fully destroying
Lamps, &c.

XII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or damage, any of the said Lamps, or shall wilfully extinguish the Light or Lights within the same, or shall damage the Irons or other Furniture thereof, or shall wilfully damage any Posts, or other Materials or Things herein-before vested in the said Commissioners, it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to give Information of the Offence, or to seize, as also for any other Person or Persons to assist in seizing, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County of *Middlesex*; and such Justice shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching the said Offence; and if the Party or Parties accused shall be convicted of 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, or to such Person as they, or any five of them, shall appoint to receive the same, the Sum of twenty Shillings; and, moreover, shall make Satisfaction for the Damage that may be done as aforesaid: And in case any such Offender or Offenders shall not, upon Conviction, pay such Forfeiture, and make such Satisfaction, as aforesaid, such Justice is hereby required to commit him, her, or them, to the House of Correction for the said County of *Middlesex*, there to be kept to hard Labour, for any Time not exceeding one Calendar Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they, shall be so committed, unless such Penalty or Forfeiture, and Satisfaction, shall be sooner paid and given.

to forfeit so a.
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or be committed
to the House of
Correction.

Penalty on care-
lessly or acci-
dentally da-
maging Lamps,
&c.

XIII. And be it further enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage, any of the said Lamps so to be set up as aforesaid, or the Posts, Irons, or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every such Case, it shall be lawful for any one Justice of the Peace for the said County of *Middlesex*, upon Complaint made to him by one or more credible Person or Persons, to summon before him the Person or Persons so complained of, and upon hearing the Allegations and Proofs on both Sides, or upon the Non-appearance of the Person or Persons so complained of and summoned, such Justice shall award such Sum or Sums of Money, by Way of Satisfaction for such Damage, as he shall think reasonable; and in case the Person or Persons so complained of shall neglect or refuse to pay the Money so to be awarded, within three Days next after Demand made thereof, it shall be lawful for such Justice to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender.

Commissioners
may make a
Pound Rate on
the Inhabitants.

XIV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall meet together upon the first *Wednesday* in *September*, and also upon the first *Wednesday* in *December*, in every Year, or within twenty-one Days after each of the said Days respectively; and shall make an equal Pound Rate, for defraying the Charges and Expences of executing this Act, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, or enjoy, any Houses, Gardens, Pleasure Grounds, Shops, Warehouses, Coach-houses, Stables, and other Buildings, within the said Town, and Parts adjacent within the said Parish (such Rate or Rates to be paid by the said Person or Persons respectively, at such Times, and in such Manner and Proportions, as the said Commissioners making any such Rate or Rates shall thereby direct and appoint), so as no such Rate or Rates shall exceed the Sum of one Shilling in the Pound in any one Year, upon the yearly Value of the said Houses, Gardens, Pleasure Grounds, Shops, Warehouses, Coach-houses, Stables, and other Buildings, within such Parts of the said Town, and Parts adjacent within the said Parish, where Lamps shall be set up, affixed, and lighted, by virtue of this Act; nor exceeding the Sum of Sixpence in the Pound, upon the said yearly Value where Lamps shall not be set up, affixed, and lighted, by virtue of this Act.

Provide.

XV. Provided always, That no such Rate or Rates shall extend to that Part of the said Parish called *Kilburn*.

XVI. And

XVI. And whereas there are divers Houses, Tenements, and Buildings, within the said Town, and Parts adjacent within the said Parish, which are let in separate Apartments, or ready furnished, by which Means the Payment of the said Rates for such Houses, Tenements, and Buildings, may be evaded; for Remedy whereof, be it enacted by the Authority aforesaid, That the Lessee, Landlord, Owner, or Proprietor, of every such House, Tenement, or Building, shall, for the Purposes of this Act, be deemed and taken to be the Occupier or Occupiers thereof, and shall be subject and liable to the Payment of the Rates or Assessments to be made by virtue of this Act; and that each and every Person renting or occupying any such House, Tenement, or Building, or any Part or Parts thereof, shall be liable and compellable to the Payment of the said Rates or Assessments, and all Arrears due thereon, the same to be recovered in Manner herein-after mentioned; and the Person or Persons from whom such Rates or Assessments shall be recovered or received, shall and may deduct the same out of the next or any other Rent that shall become due and payable from him, her, or them; and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Occupier, to and against his, her, or their Landlord, for so much Money as shall be paid by or recovered from such Tenant or Occupier respectively.

How Houses let in separate Apartments, &c. shall be paid for.

XVII. And be it further enacted by the Authority aforesaid, That every Rate or Assessment that shall be made or assessed by the Authority of this Act, for or in respect of any House, Tenement, or Building, which any Ambassador, Resident, Agent, or Publick Minister of any Foreign Prince or State, or any of their Servants, now doth, or hereafter shall inhabit or occupy, shall be paid by the Lessor, Landlord, or Owner of every such House, Tenement, or Building; who is hereby declared liable to the Payment thereof, and the same shall be recovered in Manner herein-after mentioned.

Houses of Ambassadors, &c. to be paid for by the Landlords.

XVIII. And be it further enacted by the Authority aforesaid, That where any Persons, liable to the Payment of any such Rates or Assessments, shall refuse or neglect to pay the same, it shall be lawful for the Person or Persons appointed to collect the same, by Warrant under the Hands and Seals of any two or more of his Majesty's Justices of the Peace for the said County, to levy all and every such Rates and Assessments, and all Arrears due thereon, by Distress and Sale of the Goods and Chattels of the Party so refusing or neglecting, which shall be found within the said County; and if sufficient Distress cannot be found within the said County, then, upon Oath thereof made before any one or more Justice or Justices of the Peace of any other County, City, Liberty, or Place, the Goods and Chattels of the Person so refusing or neglecting shall and may be distrained in any other County, City, Liberty, or Place, by virtue of such Warrant.

How Rates may be recovered.

XIX. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Contract, or any other Security or Writing whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

Writings to be without Stamps.

XX. And be it further enacted, That the Charges of passing this Act, and all other Charges incident thereto, shall be borne, paid, and defrayed, out of the first Monies to be raised by the Rates herein-before directed to be made.

Expences of this Act how to be paid.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, such Person may appeal to the Justices of the Peace, in their General or Quarter Session of the Peace, to be holden for the County of *Middlesex*, next after the Cause of Complaint shall arise; and it shall be lawful for the said Justices to hear all such Appeals, and award reasonable Costs to the Party in whose Favour the same shall be determined; and the Order made by the said Justices shall be final and conclusive to all Parties concerned therein.

Persons aggrieved may appeal to the Quarter Sessions;

whose Order shall be final.

XXII. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money 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 Warrant of Distress, or in the Rate or Assessment, or for any Irregularity which shall be afterwards committed by the Party distraining; but the Person or Persons aggrieved by such Irregularity shall or may recover full Satisfaction for the special Damage sustained, and no more, in an Action on the Case.

Distress not to be deemed unlawful for Want of Form.

XXIII. And be it further enacted by the Authority aforesaid, That no Proceeding to be had touching any Conviction, Order, or other Matter or Thing, to be made, done, or transacted in, or relating to, the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

Proceedings not to be quashed for Want of Form.

XXIV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in such Action or Actions may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid; that then, or in any or either of such Cases, the Jury shall find for the Defendant or Defendants; and if a Verdict shall be so found, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if upon Demurrer Judgment shall be given for the Defendant or Defendants therein; then, and in either of the said Cases, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

XXV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Publick Act.

C A P. LIX.

An Act for the better Relief and Employment of the Poor within the Hundreds of *Mitford* and *Launditch*, in the County of *Norfolk*.

C A P. LX.

An Act for extending the Duty of two Pennies *Scots*, or one-sixth Part of a Penny *Sterling*, payable on every Pint of Ale and Beer vended or sold in the Village of *Port Glasgow* and the Privileges thereof, over the Town of *Newark*; for supplying the Inhabitants of *Port Glasgow* and *Newark* with fresh Water; for paving, cleaning, lighting, and watching, the Streets of the said two Towns; for erecting publick Markets therein; for repairing, and keeping in Repair, the Breast and East and West Quays of the Harbour of *Port Glasgow*, and other Purposes therein mentioned.

Preamble,

Act of the Parliament of Scotland, 4 Gul. & Mariae.

3 Anne.

1 Geo. I.

9 Geo. II.

23 Geo. II. revised.

WHEREAS the Towns of *Port Glasgow* and *Newark*, in the Parish of *Port Glasgow*, and County of *Renfrew*, in that Part of *Great Britain* called *Scotland*, are Sea-port Towns, and lie contiguous to and adjoin each other, and are bounded as follows; *videlicet*, by the River *Clyde* on the North, the *Clune Burn* on the East, the Lands of *Dubs Brae Head*, *White Croft*, and *Douglebills* on the South, and the *Devols Glen Burn* on the West Parts: And whereas the Inhabitants of the said two Towns have of late Years greatly increased, and a great Trade has been carried on in the said Town of *Port Glasgow*, particularly of importing and exporting Tobacco, and other Merchant Goods, and a Customhouse has been erected in the said Town for many Years past, and Officers appointed for collecting his Majesty's Duties at the Town and Harbour of *Port Glasgow*, which Harbour is very safe and commodious for Ships and Vessels resorting thereto: And whereas the Fewars and Inhabitants of the said Towns of *Port Glasgow* and *Newark* have, with Consent of the Magistrates and Council of the City of *Glasgow*, Superiors of the Whole, and Proprietors of Part of the said Town of *Port Glasgow*, and of *Robert Hamilton of Wishaw*, Esquire, Superior of the Whole, and Proprietor of Part of the said Town of *Newark*, agreed to have a regular Police legally established for the Government of the said two Towns, and that Bailies and Trustees should be annually elected and chosen out of the Fewars and Inhabitants of the said Towns of *Port Glasgow* and *Newark*, for managing, regulating, and conducting the Police and Government of the said two Towns; for ordering, directing, and managing the publick Works hereinafter mentioned, for the Benefit and Advantage of the Fewars and Inhabitants of the said two Towns; for directing the repairing, and keeping in Repair, the Breast and East and West Quays of the Harbour of *Port Glasgow*; and for the ordering, directing, and managing the paving, lighting, and watching the publick Streets of the said Towns of *Port Glasgow* and *Newark*, and Breast of *Port Glasgow*; and for bringing of fresh Water into the said Towns of *Port Glasgow* and *Newark*, for the Use of the Inhabitants thereof, and of the Shipping and Vessels resorting to the said Harbour of *Port Glasgow*; and for building publick Markets in the said Towns of *Port Glasgow* and *Newark*, for the Convenience of the Inhabitants; which several Purposes will be attended with a considerable Expence, which the said two Towns have no Revenue to defray: And whereas by an Act passed in the Parliament of *Scotland*, in the fourth Year of the Reign of their late Majesties King *William* and Queen *Mary*, a Duty of two Pennies *Scots* was granted to the Community of the City of *Glasgow*, and to the Magistrates and Town Council of the same, and their Successors in Office, for the Uses therein mentioned, upon every Pint of Ale or Beer, either brewed or in-brought, and vended, tapped, or sold within the said City and Suburbs, and Liberties thereof, for the Space of thirteen Years, commencing from the first Day of *November*, in the Year one thousand six hundred and ninety-three; which said Duties were, by an Act of the Parliament of *Scotland*, in the third Year of the Reign of her late Majesty Queen *Anne*, further continued for the Term of sixteen Years; and by an Act of the Parliament of *Great Britain*, made in the first Year of the Reign of his late Majesty King *George* the First, the said Duties were further continued till the first Day of *November*, one thousand seven hundred and thirty-eight; and by another Act, made in the ninth Year of the Reign of his late Majesty King *George* the Second, the said Duties were further continued for the Term of twenty-five Years, and were also extended over the Villages of *Gorbells* and *Port Glasgow*, and their Privileges respectively; and by another Act, made in the twenty-eighth Year of the Reign of his said late Majesty King *George* the Second, the aforesaid Duty was further continued upon all Ale or Beer, brewed or in brought within the said City of *Glasgow*, and Liberties thereof, and within the Villages of *Gorbells* and *Port Glasgow*, and Privileges thereof respectively, from and after the Expiration of the said Act of the ninth Year of the Reign of his said late Majesty King *George* the Second, for the further Term of thirty-eight Years, and from thence to the End of the then next Session of Parliament: And whereas the Magistrates and Council of the City of *Glasgow* have, towards enabling the said Fewars of *Port Glasgow* and *Newark* to repair, and keep in Repair, the Breast and East and West Quays of *Port Glasgow*, and to carry on publick Works in the said Towns of *Port Glasgow* and *Newark*, for the Benefit of the Inhabitants thereof, assigned and conveyed to the said Fewars the aforesaid Duty of two Pennies *Scots* upon every Pint of Ale or Beer, either brewed or in-brought, or vended, tapped, or sold, within the said Town of *Port Glasgow*, and Liberties thereof, for the Space of the aforesaid Act, made in the twenty-eighth Year of the Reign of his late Majesty King *George* the Second, which should be to run after the first Day of *September* last, conform to Contract executed betwixt the said Magistrates and Council of *Glasgow* and the aforesaid Fewars of *Port Glasgow* and *Newark*, bearing Date the sixth, fourteenth, and twenty-third Days of *September*, one thousand seven hundred and seventy-four, and

and recorded in the Town Court Books of *Glasgow* upon the twenty-seventh Day of *September*, and Year last mentioned: And whereas there is no Revenue in the said Towns of *Port Glasgow* and *Newark* for maintaining the Government thereof, paying Ministers Stipends, Schoolmasters Salaries, repairing and preserving the Streets and Causeways of the said Towns, lighting, paving, and watching the same, nor for erecting publick Markets, and other publick Works, for the Use and Benefit of the Inhabitants of the said Towns, and purchasing Grounds for these Purposes; and it being on these Accounts necessary that the sforesaid Duty of two Pennies *Scots* should be extended over the said Town of *Newark*, and Inhabitants thereof, within the Bounds aforesaid; 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 all Rates, Duties, and Impositions, made payable by the Acts before recited, particularly by the aforesaid Act of the ninth Year of the Reign of his late Majesty King *George* the Second, and by the aforesaid Act of the twenty-eighth Year of the Reign of his said late Majesty, upon all Ale or Beer, brewed or in-brought, or vended, tapped, or sold, within the Town of *Port Glasgow*, and Privileges thereof, and also the same Rates, Duties and Impositions, upon all Ale or Beer, brewed or in-brought from *Glasgow*, or any Place whatever, or vended, tapped, or sold within the said Town of *Newark*, and Liberties thereof, and within the whole Boundaries of the said Towns of *Port Glasgow* and *Newark*, shall, from and after the first Day of *June* next, be raised, levied, collected, paid and made payable, to the Baillies and Trustees for the said Fewars of *Port Glasgow* and *Newark* herein-after mentioned for the Time being, and to their Successors in Office, for the Use and Behoof of the said Towns, or to their Treasurer or Collector in their Name, for and during the whole Time that shall be to run of the aforesaid Act of the twenty-eighth Year of the Reign of his late Majesty King *George* the Second, from the said first Day of *June*; and that the said Duties hereby granted over the said Towns of *Port Glasgow* and *Newark*, and Inhabitants thereof, within the Bounds and Limits aforesaid, shall be levied and paid by the same Powers and Authorities, and according to the same Rules, Methods, and Directions, and under the same Penalties and Forfeitures, as are prescribed, mentioned, and expressed in the several Acts of Parliament herein-before recited, or any of them; and that the said Acts, and every Article, Rule, Clause, Matter, and Thing in them, or any of them, contained, shall be of full Force and Effect, to all Intents and Purposes, for raising, collecting, securing, and levying the said Duty within the said Towns of *Port Glasgow* and *Newark*, and Liberties thereof, and Boundaries aforesaid, for and during the whole Time of the said Act of the twenty-eighth Year of the Reign of his late Majesty King *George* the Second, from and after the said first Day of *June*, as fully and effectually as if the same were particularly and at large repeated, expressed, and re-enacted, in the Body of this present Act.

Powers of the before-recited Acts extended to Newark.

Duties to be paid to the Baillies, &c. of *Port Glasgow* and *Newark*, &c.

II. And be it further enacted by the Authority aforesaid, That from and after the fourteenth Day from the passing of this Act, *Humphry Colquhoun* Deputy Comptroller of the Customs in *Port Glasgow*, *Alexander Mollison* Surgeon there, *George Murdoch* Esquire, Comptroller of the Customs there, *James King* senior, *James King* junior, *Robert Douglas*, *Hugh Milliken*, *John Barnatyne*, *Allan Stevenson*, *John Mollison*, *John Dunlop*, *Andrew Mac Millan*, *Robert Cumming*, *Murdoch King*, *Thomas Knox*, *Patrick Dougall*, *William Howatt*, *James Ramsay*, *William Laird*, *Andrew Crawford*, and *John Foster* senior, all Merchants in *Port Glasgow*; *John Burns* Vintner there, *Alexander Blair* Esquire, Land Surveyor there, *John Stirling* in the Custom-house there, *Robert Jamieson* and *James Glasford* Coopers there, *Robert Bennet* Shipmaster there, *John Hamilton* Barber there, and *Robert Cunning* Wright there, all Fewars and Proprietors of Lands in the said Town of *Port Glasgow*; and *John Barr* junior Clock and Watch Maker, *John Willison* and *James Aiken*, Merchants; *Alexander Barnhill* Brewer, *William Clarke*, *Andrew Laird*, *David Laird*, and *William Hood*, Wrights; *John Martine* Writer, *Alexander Mac Kechany* Ship-carpenter, *George Johnston* Joiner, *Matthew Edward* Carpenter, *James Sinclair* Tide Officer, *Archibald Denniston* Farmer, *David Auld* Mason, *John Simpson* junior Merchant, *Alexander Spear* Shoemaker, *Henry Robertson* Merchant, *Nicholas Conyers* and *Robert King* Land Waiters; and *William Dunlop* Shipmaster; all Fewars and Proprietors of Lands within the said Town of *Newark*, and all the other Fewars within the Limits and Boundaries before mentioned, and their several and respective Successors in the said Lands, and their Assignees and Disponees, shall, and are hereby authorized and impowered, upon the last *Tuesday* of *September* next, to meet at twelve of the Clock at Noon in the Council Chamber in *Port Glasgow*, and there by Plurality of Voices of such as are present, to elect and make Choice of thirteen of the Fewars of *Port Glasgow* and *Newark*, as Trustees for managing, conducting, and carrying on the publick Works hereafter directed to be made or done in the said Towns of *Port Glasgow* and *Newark*, and for levying, collecting, and receiving the Duties herein granted, and for regulating and ordering the Police of the said two Towns; and that the thirteen Persons so to be chosen shall be and continue Trustees under this present Act for one Year afterwards, being until the last *Tuesday* of *September* immediately following; and a List of the said thirteen Persons shall, within three Days after their Election, be transmitted to the Magistrates and Council of the City of *Glasgow*, out of which thirteen Persons the said Magistrates and Council shall choose one, who shall be and is hereby authorized to act as eldest Baillie in and over the said Towns of *Port Glasgow* and *Newark*, and Inhabitants thereof, for the Space of one Year after his Election: And in case the said Magistrates and Council shall at any Time neglect or refuse to choose the eldest Baillie within ten Days after the said List of Trustees hath been transmitted to them the said Magistrates and Council; then, and in such Case, the said Trustees, or the major Part of them, shall have Power, and are hereby authorized and required, within six Days after the Expiration of the said ten Days, to name one of their Number to be the eldest Baillie for the Year then next ensuing; and immediately after such Election or Nomination of the said eldest Baillie, it shall be lawful for him and the other twelve Trustees, to be chosen as aforesaid, or the major Part of them, to meet and convene in the said Council Chamber of *Port Glasgow*, upon the third Day after the Election of the said eldest Baillie, or upon the first lawful Day after

Trustees Names;

Meeting appointed for the Choice of 13 Trustees;

One of whom to be chosen eldest Baillie.

Trustees to elect one of their Number to be the youngest Baillie.

after the Expiration of the said three Days, at twelve of the Clock at Noon, and there elect and make Choice of one of the said twelve Trustees to be the youngest Baillie for one Year, in and over the said Towns of *Port Glasgow* and *Newark*, and whole Inhabitants thereof; to whom the said Baillies, or either of them, are hereby authorized, impowered, and required to administer Justice, and to exercise all the Power and Authority by the Laws of *Scotland* committed to the Baillies of a Burgh or Barony.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to the said Baillies and Trustees, to be chosen and elected as aforesaid, or any seven of them, to meet and convene in the said Council Chamber of *Port Glasgow*, or in such other Place in the said Towns of *Port Glasgow* and *Newark*, or either of them, as they shall appoint, upon the last *Tuesday* in the Month of *September* yearly, after the Month of *September* next, and there, by Plurality of Votes, to disqualify four of their Number from being Trustees, and to elect and make choice of four of the Fewars of the said Towns of *Port Glasgow* and *Newark* to supply the vacant Places of the said four Trustees to be disqualified as aforesaid; and such List of the said thirteen Trustees shall be annually delivered to the Magistrates and Council of *Glasgow*, within three Days after the said Election, and the eldest and youngest Baillies of the said Towns shall be annually chosen in such Manner as is herein-before directed, touching the Choice of Baillies, in the Month of *September* next immediately after the passing of this Act; and that the said four Persons so to be elected and chosen, shall, with the Baillies and other Trustees, from Time to Time, be and continue Trustees for one Year, and until the last *Tuesday* of *September* immediately following.

IV. And it is hereby enacted, That none of the said four Trustees to be disqualified annually as aforesaid, shall be re-elected and chosen as Trustees, until after the Expiration of full three Years from the respective Times of their being disqualified, as above mentioned.

V. Provided always, and be it enacted by the Authority aforesaid, That no Fewar in the Towns of *Port Glasgow* and *Newark* shall be intitled to vote in the Election of the aforesaid thirteen Trustees, unless he be possessed of and stand infest in a Property in the said Towns of *Port Glasgow* and *Newark*, or either of them, of the yearly Value of five Pounds Sterling of free Rent; and that no Person shall be voted or elected as a Baillie or Trustee, unless he be possessed of a Property in the said Towns, or either of them, in which he shall stand infest of the yearly Value of ten Pounds Sterling of free Rent; and in case any of the Fewars of the said Towns of *Port Glasgow* and *Newark* shall be elected Trustees as aforesaid, and shall refuse or neglect to accept of that Office, every Person to refusing or neglecting shall, by the Baillies for the Time being, or any one of them, be fined in a Sum of Money not exceeding two Pounds Sterling; and any of the said Trustees, who shall be elected and chosen to serve as a Baillie as aforesaid, that shall refuse or neglect to accept of that Office, and discharge the Duties thereof, shall forfeit a Penalty of five Pounds Sterling, to be levied and applied in Manner herein-after mentioned; and it shall be lawful for the said Baillies and Trustees, or any seven of them, to meet and convene, and elect and make choice of a new Baillie or Baillies, Trustee or Trustees, in the Room and Place of the Baillie or Baillies, Trustee or Trustees, refusing to accept of the respective Offices aforesaid, and shall also meet and convene in like Manner to make Choice of a Baillie or Baillies, Trustee or Trustees, in the Room of such as shall die during the Time of their being such Baillie or Baillies, Trustee or Trustees.

VI. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Baillies and Trustees, and their Successors in Office for the Time being, or any seven or more of them, and they are hereby authorized and impowered to contract and agree with the Owners or Proprietors of any Warehouses, Cellars, Sheds, and other Erections, for the Accommodation of Trade, and with the Owners or Proprietors of any Ground that shall be thought necessary to be purchased for the Purpose of building Warehouses, Cellars, Sheds, and other publick Works within the Bounds and Limits of the said two Towns of *Port Glasgow* and *Newark*; and also with the Owners of any Springs or Fountains within one Statute measured Mile of the said Towns of *Port Glasgow* and *Newark*, and with such other Person or Persons they shall judge proper, for the Liberty of collecting, receiving, and conveying the said Springs and Fountains for supplying the Inhabitants of the said Towns of *Port Glasgow* and *Newark* with fresh Water, and for the laying down Pipes and other Conductors for conveying the said Water, and building Cisterns and Reservoirs for collecting and receiving the same; and that the said Baillies and Trustees, or any seven or more of them, shall pay such Rates or Consideration for the same as shall be agreed upon between them and the Owners and Proprietors of such Springs and Fountains as aforesaid, either by absolute Purchase, or by Payment of a certain annual Sum for the Use of the same, and as shall be agreed upon with the aforesaid other Person or Persons for undertaking, doing, and performing the several Works before mentioned; and that the said Baillies and Trustees, and their Successors in Office, are hereby authorized and impowered to convey such Water into the said Towns of *Port Glasgow* and *Newark* by Pipes, to be laid in and through the Grounds lying between such Springs and Fountains as aforesaid and the said Towns of *Port Glasgow* and *Newark* and the Cisterns or Reservoirs built or to be built thereon.

VII. And whereas it may happen that some of the Owners, Proprietors, or Occupiers of such Springs and Fountains as aforesaid, and of the Lands through which it may be necessary to convey the Water from the said Springs and Fountains, and to lay down Pipes and other Conductors for that Purpose, may not agree with the said Baillies and Trustees for the Purchase of the said Water, and for the Privilege of laying such Pipes, or erecting other Works on their respective Lands or Grounds; or may, through Infancy, Minority, Defect of the Title Deeds, Incumbrances, Debts, or other Disabilities or Causes be disabled to grant valid and effectual Conveyances of the Premises in favour of the said Baillies and Trustees, and their Successors in Office; be it therefore enacted by the Authority aforesaid, That in all and every of the Cases herein immediately before mentioned, it shall and may be lawful to and for the Baillies and Trustees aforesaid, and their Successors in Office, or any seven or more of them, and they are hereby authorized and impowered to apply to the Sheriff-depute of the County of *Renfrew*, who, upon such Application, shall and he is hereby impowered and required to order a Visitation and Inspection

Trustees to disqualify four of their Number annually, and to elect four others.

List of Trustees to be delivered to the Magistrates, &c. of Glasgow, and Baillies to be elected, annually.

No disqualified Trustee to be re-elected within 3 Years after.

Qualifications of Electors,

and of Baillies.

Penalty on Trustees refusing to act not to exceed 2 l. and on Baillies not exceeding 5 l.

Baillies, &c. impowered to contract for Ground, &c. for building Warehouses, &c. and for the bringing fresh Water to *Port Glasgow* and *Newark*.

If Baillies, &c. and Owners of Water, &c. cannot agree on Terms of Purchase, Application to be made to the Sheriff-depute of *Renfrew*.

tion to be made of such Springs, Fountains, and Grounds, and to call before him the respective Owners and Occupiers thereof, or the Trustees, Tutors, or Curators, or others, having the Charge and Administration of the Affairs of such Owners and Occupiers, and requiring them, within a limited Time, to shew Cause why such Springs or Fountains should not be aliened or granted, or why the said Pipes and Conductors should not be laid through their Grounds, and Cisterns built thereon for the Purposes aforesaid; and that thereupon the said Sheriff shall proceed to hear the said Parties, and to pronounce Sentence in the said Matter, in such Manner as shall appear to him reasonable and just.

VIII. Provided always, and be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved, by the Sentence of the said Sheriff, that it shall and may be lawful to such Person or Persons to apply, by Petition, to the Lords of the Council and Session to have such Sentence reviewed, altered, or amended; and the said Lords of Session are hereby impowered and required to proceed and determine therein summarily, without abiding the Course of any Roll.

Persons aggrieved may apply to the Lords of Session.

IX. Provided always, That such Application shall be made to the Lords of Session within fifteen Days, to commence and to be computed from the Day on which the Court of Session shall sit after the said Sheriff shall have pronounced his Sentence as aforesaid.

Proviso.

X. And be it enacted by the Authority aforesaid, That if upon Trial it shall appear to the said Sheriff-depute that the Springs, Fountains, and Grounds aforesaid may be so aliened and granted without essential Hurt or Prejudice to the Owners or Occupiers of the same, and it shall be so found and declared, that then, and in such Case, for ascertaining the Value or Consideration to be paid for the same, it shall and may be lawful to and for the said Sheriff-depute, and he is hereby impowered and required, after the elapsing of the said Space in which the Persons who think themselves aggrieved are allowed to apply to the Court of Session for Redress as aforesaid, or in case of any such Application after a Decree of the said Lords shall be extracted thereupon, to summon and impanel a competent Number of discreet, substantial, and disinterested Persons, not less than fifteen, and out of such Persons so summoned and returned to name and appoint a Jury of nine Persons, each of them possessed of an Estate of one hundred Pounds Scots of valued Rent in the County of *Kensfrew*, to come and appear before him, at such Time and Place as by his Warrant or Precept shall be directed, and to receive such Evidence as shall by either Party be brought before him; and the said Sheriff-depute shall examine such Witnesses as shall be brought by either Party in the Course of the said Evidence, upon Oath (which Oath he is hereby authorized and impowered to administer), touching the Value to be paid to the respective Proprietors and Occupiers for the Liberty of collecting and using the said Springs or Fountains, and for laying Pipes and Conductors through the said Grounds, and building Cisterns and Reservoirs thereon, and for altering, amending, and repairing the Cisterns, Reservoirs, and Pipes, in all Time thereafter respectively, as the said Case shall be; and that the Verdict of the said Jury shall be final and conclusive in so far as shall respect the Consideration or Purchase Money to be paid to the Owners and Occupiers of such Springs, Fountains, or Grounds respectively, as aforesaid; and that all Parties concerned shall have their lawful Challenges against any of the said Jurymen.

Purchase-money to be settled by a Jury.

XI. And be it further enacted by the Authority aforesaid, That the Sheriff-depute aforesaid shall, and he is hereby authorized and required, upon such Verdict being given as before mentioned, to pronounce Judgment for the Payment of such Sum or Sums so to be awarded by the said Jury, and to ordain the Owners or Occupiers and Proprietors of such Springs, Fountains, and Grounds, or their Trustees, Tutors, Curators, or Administrators, upon Payment or lawful Tender thereof, quietly to permit and suffer the said Springs and Fountains to be collected or received into Cisterns or proper Reservoirs, to be erected by the said Baillies and Trustees, and their Successors, or by such Person or Persons as they shall appoint; and also to permit and allow proper Pipes and other Conductors to be laid for the Conveyance of the said Water through their respective Lands or Grounds, and Cisterns and Reservoirs to be built thereon; and the said Baillies and Trustees, and their Successors, and their Officers and Servants, to have Access and Liberty to make, alter, amend and repair the same for ever hereafter, in such Manner as the said Baillies and Trustees, or their Successors in Office, or any seven or more of them, shall order and direct; and that the Judgment, Decree, or Determination, pronounced by the said Sheriff upon the said Verdict or Verdicts, conformable to the Method above prescribed, shall be binding and conclusive to all Intents and Purposes whatever, against the several Proprietors and Occupiers of such Springs, Fountains, and Grounds, and the said Baillies and Trustees respectively; and that the same, or Extracts thereof from the Sheriff's Court Books shall be deemed and taken as good and effectual Evidence and Proof in any Court of Law or Equity whatsoever.

Sheriff depute to pronounce Judgment for Payment of the Purchase-money, &c.

which shall be binding to all Parties.

XII. Provided always, and be it enacted by the Authority aforesaid, That if any Pipes for conducting the Water aforesaid shall interfere with Houses built, or to be built, upon the Grounds within the Limits and Boundaries aforesaid of the said Towns of *Port Glasgow* and *Newark*, the said Baillies and Trustees, and their Successors, shall be obliged, and are hereby required to remove all such Pipes at the proper Charges and Expences of the said Baillies and Trustees, and their Successors.

Baillies, &c. to remove Pipes improperly laid at their own Expence.

XIII. And be it further enacted by the Authority aforesaid, That this Act shall continue and be in Force, so far as the same relates to the purchasing of Springs, Fountains, and Grounds, for the Purposes aforesaid, for the Space of fifteen Years, to be computed from the fourteenth Day of *June*, one thousand seven hundred and seventy-five, and from thence to the End of the then next Session of Parliament, and no longer.

Continuance of this Act with respect to purchasing of Springs, &c.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, to appoint proper Persons for watching and cleaning the several Streets, Lanes, Alleys, Avenues, and Passages, in and about the said Towns of *Port Glasgow* and *Newark*, within the Bounds and Limits aforesaid, and to appoint the Streets and Breast of *Port Glasgow* and *Newark*, which are already paved, to be properly repaired; and

Baillies, &c. impowered to levy a Tax of 6d. in the Pound for cleaning and paving Streets, &c.

and also to pave any new Streets, Lanes or Passages, which may be made in the said Towns of *Port Glasgow* and *Newark*; and also to appoint Lamps to be erected at the most convenient Places within the said two Towns; and to lay a Tax on the Inhabitants in the said Towns of *Port Glasgow* and *Newark*, within the Bounds and Limits aforesaid, for bringing in Water, cleaning, paving, lighting, and watching, the same as aforesaid, and for the more effectually performing the other Purposes before recited in this Act, the said Tax not to exceed Sixpence Sterling in the Pound of the yearly real Rent of the Houses, and other Subjects possessed by them; and that all Vessels taking Water from the Pipes to be laid by virtue of this Act shall pay at the Rate of Eight-pence Sterling for every Ton of two hundred and fifty-two Gallons.

Lamps to be lighted at such Times as the Baillies, &c. shall appoint.

All Persons stealing or wilfully damaging Lamps, &c.

to forfeit 2 l. Sterling.

or to be committed.

Penalty on Persons accidentally breaking or damaging Lamps, &c.

Baillie, &c. may appoint a Clerk, Collector, and other Officers;

and Watchmen.

XV. And it is hereby further enacted, that all and each of the Lamps, which now are or hereafter shall be erected by or in pursuance of this Act, shall be lighted in the Afternoon of every Day, at such Hour or Hours as the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, shall direct and appoint, from and after the first Day of *October* in each Year, to the first Day of *April* immediately following; but it shall and may be lawful to and for the said Baillies and Trustees to order and direct the Lamps to be lighted sooner than the first Day of *October* in each Year, or to continue the lighting of such Lamps longer than the first Day of *April*, or both, as they shall see Cause.

XVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall steal, take away, break, or throw down, or damage any Lamp or Lamps that now are, or hereafter shall be, set up for enlighting any of the said Streets, Lanes, Alleys, Avenues, or Passages, or shall wilfully extinguish the Light or Lights within the same, or damage the Iron or other Furniture thereof, it shall and may be lawful to and for any Person or Persons whatsoever, who shall see such Offence committed, to seize, as also to and for any Person or Persons to assist in seizing the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey him, her, or them, into the Custody of a Peace Officer, or any of the Town Officers of *Port Glasgow* and *Newark*, in order to be secured, and conveyed before either of the said Baillies of the said two Towns; and that such Baillies shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced to give Information touching such Offence (which Oath the said Baillie is hereby authorised and required to administer); and that if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or by the Oath of one or more credible Witness or Witnesses, he, she, or they, so convicted, shall forfeit and pay the Sum of two Pounds Sterling for each Lamp so broken, thrown down, or damaged, or for every Light so extinguished as aforesaid; and, moreover, shall make full Satisfaction to the said Baillies and Trustees, and their Successors, or to such Person 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, on Conviction, pay such Forfeiture, and make such Satisfaction as aforesaid, such Baillie is hereby required to commit him, her, or them to the Common Gaol of the Town of *Port Glasgow*, or to the Gaol in the Town of *Renfrew* in the said County, for any Time not exceeding the Space of one Month; and that such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

XVII. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the Lamps so set up, or to be hereafter set up, as aforesaid, or the Iron or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every such Case, it shall and may be lawful to and for any one of the Baillies of the said Towns of *Port Glasgow* and *Newark* for the Time being, upon Complaint to him made by any one or more credible Witness or Witnesses, to summon before him the Parties or Party who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proof upon both Sides, or upon the Non-appearance of the Party or Parties so complained of and summoned, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Baillie shall think reasonable: And in case of Neglect or Refusal of the said Party or Parties to pay such Sum or Sums of Money so awarded within ten Days next after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods and Chattels, the Surplus, if any be, arising by such Sale, after deducting the necessary Charges and Expences of the said Distress and Sale, to be liquidated by the said Baillie, to be paid to him, her, or them, when demanded; and in case no Payment is made, and that no Goods or Chattels of the Offender or Offenders can be found, then it shall be lawful to the said Baillies, or any one of them, by Warrant under his or their Hands, to commit the Offender or Offenders to the common Gaol of the Town of *Port Glasgow*, or of the County of *Renfrew*, for any Space not exceeding ten Days.

XVIII. And be it further enacted by the Authority aforesaid, That the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, at a publick Meeting assembled, shall have full Power, and they are hereby impowered and authorised to nominate and appoint, by Writing under their Hands, a Clerk, or Collector or Collectors, and other proper Officers, with suitable Salaries, for levying the Duties and Impositions herein-before granted, and also such other Officers under them as they shall judge necessary to be employed for carrying this Act into Execution; and from Time to Time to remove such Clerk, Collector or Collectors, Officer or Officers, or any of them, and to appoint others in their Stead; and that the said Baillies and Trustees, and their Successors, may, yearly and every Year, order and appoint such Number of Watchmen as they shall judge proper to be kept within the said Towns of *Port Glasgow* and *Newark*, and shall elect such honest and able-bodied Men to be employed in that Service as they shall think best qualified for the same; and shall also direct where the several Watchmen shall be stationed, and in what Manner they shall be armed, and how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen for their Attendance;

tendance; and also shall or may hire, erect, or maintain any proper Place or Places within the said Towns for the Reception of the said Watchmen, and shall make all such Regulations and Orders in Writing as the Nature of each particular Service shall appear to them to require.

XIX. And it is hereby enacted by the Authority aforesaid, That the Rates or Assessments by this Act imposed for defraying the Expence of bringing Water into, and paving, cleansing, lighting, and watching the Streets of the said Towns of *Port Glasgow* and *Newark*, within the Bounds and Limits aforesaid, and for the more effectually performing the other Purposes before recited in this Act, shall be leviable and levied at the Term of *Lammas* yearly; and that if any Person or Persons who shall be rated and assessed by virtue and in pursuance of this Act shall refuse or neglect to pay the Rate or Assessment charged upon him, her, or them, in pursuance of this Act, for the Space of ten Days next after his, her, or their respective Rate or Rates, Assessment or Assessments, shall be due and demanded by the Collector or Collectors authorized and empowered to collect and receive the same (such Demand being either personally made to the respective Person or Persons so charged, or left in Writing at his, her, or their respective House or Houses, Place or Places of Abode); that then, and in every such Case, it shall and may be lawful to and for such Collector or Collectors, every or any of them, having a Warrant or Warrants under the Hand of any one of the Baillies of the said Towns of *Port Glasgow* and *Newark* for the Time being (which Warrant or Warrants the said Collector or Collectors is and are hereby required to apply for, and the said Baillies are hereby authorized and required to grant), and, with the Assistance of a Peace Officer, or any Officer of the said Towns of *Port Glasgow* and *Newark*, to enter his, her, or their House or Houses, Apartment or Apartments, and then and there to seize and keep Possession of his, her, or their Goods and Chattels; and if the said Rate or Assessment shall not be paid within three Days next after such Seizure shall be made, together with the Costs and Charges thereof, to sell by publick Auction at the Market Cross of *Port Glasgow* (which is hereby declared to be a legal Market Cross, and to be at the Place where the *King's Street* and *Kirk Street* in the said Town cross each other), so much and such Part of the said Goods and Chattels as shall be sufficient to pay the said Rate or Assessment, with the Costs and Charges attending such Seizure and Sale, returning the Overplus (if any be) to the Owner or Owners of such Goods and Chattels; the said Costs and Charges to be settled and allowed by the said Baillie or Baillies who shall have granted such Warrant respectively.

When Assessments are to be levied.

On Refusal of Payment, Collector may seize Goods, &c.

and sell the same three Days after Seizure.

XX. And be it enacted by the Authority aforesaid, That from and after the passing of this Act, the said Towns of *Port Glasgow* and *Newark* shall be a Market Town; and it shall and may be lawful to and for the said Baillies and Trustees, and their Successors in Office, to hold weekly Markets at the Market Cross before mentioned, or at any other Part or Place they shall appoint and direct within the Bounds and Limits aforesaid; and also to make such Bye-laws, Rules, and Regulations, as they shall judge necessary and proper for regulating, ordering, and governing the said Market, and to appoint and ordain such Bye-laws, Rules and Regulations, to be observed and fulfilled, under such Fines and Penalties as the said Baillies, or any one of them, shall award, not exceeding twenty Shillings Sterling; to be levied and recovered as herein-after mentioned.

Weekly Markets to be held, &c.

XXI. And be it enacted by the Authority aforesaid, That the Assessments aforesaid shall be laid upon Dwelling-houses, Shops, Sheds, Warehouses, Cellars, Vaults, or other Tenements actually possessed, occupied, and tenanted, at the Time of laying on the same only, and that the Possessor thereof, whether Proprietor or Tenant, shall be liable for the Payment of the said Assessments; and that if any Dwelling-houses, Shops, Sheds, Warehouses, Cellars, Vaults, or other Tenements, which are not possessed at the Time of laying on the general Assessment, shall afterwards, during the Currency of that Year, become possessed, it shall be lawful to, and in the Power of, the said Baillies and Trustees, and their Successors, to meet and assess the same in Manner before prescribed; and that it shall be in the Power of the said Baillies and Trustees, and their Successors, if they shall see Cause for so doing, totally to exempt Houses of the yearly Rent of twenty-five Shillings Sterling or under from Payment of any Assessments by virtue of this Act.

What Houses, &c. are to be assessed.

XXII. Provided always, and be it enacted by the Authority aforesaid, That no Rate or Assessment shall be made or levied by virtue of this present Act for the Dry Dock and Sheds at *Port Glasgow*, belonging to the Community of the City of *Glasgow*, nor for what further Sheds may be hereafter built by the said City, nor for Orchards, Gardens, and other Grounds whereon no Houses or Buildings are erected; and that the Rents and Revenues therefrom arising shall, in all Time coming, be exempted and freed from the Payment of the aforesaid Rate or Assessment, any Thing herein contained to the contrary notwithstanding.

Exception.

XXIII. And, for determining the real Rent of each Dwelling-house, Shop, Shed, Cellar, Vault, Warehouse, other Tenement, liable to the Payment of any Assessment to be imposed by virtue of this Act, it is hereby further enacted, That the Tenant or Possessor shall be obliged to declare upon Oath the Extent thereof, if required; which Oath either of the said Baillies are hereby empowered to administer; and that in case the Possessor or Possessors shall happen to be also Proprietors, he, she, or they shall be obliged in like Manner to declare the Price he, she, or they, or the Person or Persons under whom he, she, or they claim, paid for his, her, or their Possession, or what it cost him, her, or them, and he, she, or they shall be assessed at the Rate aforesaid, according to the Rent, equal to six Pounds Sterling per Centum of such Price or Costs; or it shall be optional to the said Proprietor or Proprietors to have his, her, or their Subjects valued by two Men indifferent, disinterested, on Oath, to be mutually chosen by them and the said Trustees, according to which Valuation the said Proprietor or Proprietors shall pay the aforesaid Assessment at the Rate of six Pounds per Centum as aforesaid.

Tenants, &c. to declare the Extent of the Rents, &c.

XXIV. And be it further enacted by the Authority aforesaid, That the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, at a General Meeting assembled, shall have Power, and they are hereby authorized to make Regulations from Time to Time for removing Obstructions and

Obstructions to be removed.

and preventing Nufances of every Kind, within the Bounds and Limits comprised in this Act, and enforce the same by such small Penalties as they shall appoint, not exceeding in any Cafe ten Shillings Sterling for each Transgression; to be levied in Manner herein after mentioned.

Baillies, &c. impowered to borrow 2000l. and assign the Rates as a Security.

XXV. And be it further enacted by the Authority aforesaid, That the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, at a publick Meeting assembled, shall, and they are hereby authorized and impowered, by any Mortgage or Mortgages, after defraying the Charges of the Act, and of purchasing of Buildings and Grounds for the Purposes before mentioned, or other Act or Acts, Deed or Deeds, under their Hands duly executed, to borrow or take up at Interest any Sum or Sums of Money not exceeding two thousand Pounds Sterling, upon the Security and Credit of the Rates, Duties, or Assessments, granted by this Act, for defraying the Charges of this Act, and of bringing in Water, lighting, paving, and watching the Streets of the said Towns of *Port Glasgow* and *Newark*, repairing and keeping in Repair the Breast and East and West Quays of the Harbour of *Port Glasgow*, erecting publick Markets, paying Minister's Stipend, Schoolmaster's Salary, and other Works for the Utility and Convenience of the Inhabitants of the said two Towns within the Bounds and Limits thereof aforesaid, and may assign such Duties to any Person or Persons, Bodies Politick or Corporate, who shall furnish or advance such Money, or any Part thereof, as a Security for the Repayment of the same.

Minutes of Proceedings to be entered in proper Books.

XXVI. And be it further enacted by the Authority aforesaid, That the said Baillies and Trustees, and their Successors in Office, shall keep and enter in proper Books Minutes of their Proceedings, and fair, just, and true Accounts of the Receipts and Disbursements of all Monies which shall be received or expended by them in consequence of this Act; which Books or Accounts and other Proceedings shall be open at all convenient Hours of Business to the Inspection of any of the Commissioners hereafter named, or to any of the Fewars of the said Towns of *Port Glasgow* and *Newark*, possessed and standing in fee in Lands within the Bounds and Limits aforesaid to the Value of five Pounds Sterling of Rent yearly; and the said Commissioners shall at every Meeting bear and pay their own Charges and Expences; and the said Accounts shall annually, on the Day of disqualifying and electing four of the aforesaid Trustees, be regularly balanced by the Clerk or Treasurer to the said Baillies and Trustees, and be laid before them, so as they may have a clear and distinct View of the Rates, Assessments, and Funds, to be levied by virtue of this Act, and of the Receipts, Disbursements, and Expenditures to be made in pursuance of this Act for the Year preceding.

General Meetings to be held monthly, &c.

XXVII. And be it further enacted by the Authority aforesaid, That all Questions and Business that shall be discussed by the said Baillies and Trustees with relation to the Execution of this Act, shall only be when they are assembled in General Meetings, which are hereby appointed to be held on the first *Tuesday* of every Month, or at adjourned Meetings from the said General Meeting; and that all Questions and Business to be then and there transacted shall be determined by a Plurality of the Voices of the Baillies and Trustees aforesaid then present; and that the eldest Baillie for the Time, if he be present, and in case of his Absence, the youngest Baillie, shall preside at all Meetings of the said Trustees, and besides his having his single Vote in common with the other Trustees, shall, in case of Equality of Voices, have the casting or decisive Vote; and that any seven or more of the said Trustees shall be, and are hereby declared to be, a *Quorum*.

Baillies, &c. impowered to dig Stones, Sand, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Baillies and Trustees, and their Successors, or their Deputies, Agents, Officers, and Servants, to open Stone Quarries, Sand, Clay, and Gravel Pits, and to dig, gather, take, and carry away, from such Quarries and Pits, any Stones, Sand, Gravel, Clay, and other Materials, in or out of any Grounds lying within two Miles of the said Towns of *Port Glasgow* and *Newark* (not being Ground on which stands any Houses, Garden, Orchard, planted Walk or Walks, or Avenue to a House), where such Materials are or may be found, and from Time to Time to cause the same to be carried off, or so much thereof as the said Baillies and Trustees, and their Successors, and their Deputies, Agents, Officers, or Servants, shall judge necessary for repairing and keeping in Repair the Breast and East and West Quays of the Harbour of *Port Glasgow*, and for building and erecting publick Markets and other publick Works in the said Towns of *Port Glasgow* and *Newark*, within the Bounds and Limits aforesaid, for the Use and Utility of the Inhabitants thereof, the said Baillies and Trustees, and their Successors, always paying the Value (to be estimated according to the Prices of such Materials at the Time in that Part of the Country) of the Stones, Sand, Gravel, Clay, and other Materials, to be carried in and out of the aforesaid Ground, to the Proprietors, Liferenters, Tacksmen, and other Parties interested in such Grounds out of which such Materials shall be carried away in Manner aforesaid.

paying the Value thereof.

Roads to be made to the Harbour of *Port Glasgow*, &c.

XXIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Baillies, Trustees, and their Successors, and Deputies, Agents, Officers, and Servants, to make use of and maintain Roads from the said Grounds to be opened for quarrying and digging Stones, Gravel, Clay, and other Materials, to any Part of the River and Firth of *Clyde*, or from the said Pits and Quarries to be opened as aforesaid, directly to the Harbour of *Port Glasgow*, or to the Towns of *Port Glasgow* and *Newark*, and to make the same through any Grounds belonging to any Person or Persons whatsoever (not being the Ground on which stands any House or Garden, Orchard, or Walk or Walks planted, or Avenue to any House), the said Trustees making reasonable Satisfaction for the Damage done to the Ground through which the said Road or Roads pass to the Proprietors, Liferenters, Tacksmen, and other Parties concerned and interested in such Grounds to which such Damage shall be done or occasioned as aforesaid.

Exception.

XXX. Provided nevertheless, and be it enacted by the Authority aforesaid, That it shall not be in the Power of the said Baillies and Trustees, or their Successors, or of their Servants or Agents, or of any other Person or Persons employed by them, to dig or carry away any Sand or other Materials for repairing or keeping in Repair the said Breast or Quays, or other Works aforesaid, from or out of any of the Sand Banks

Banks and Fishing Places belonging to the Burgh of *Dumbarton* in the River *Clyde*, or in the River *Leven*, without the Consent of the Magistrates and Town Council of *Dumbarton* first had and obtained.

XXXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Baillies and Trustees, and their Successors in Office, or any seven or more of them, at a General Meeting assembled, at any Time or Times hereafter, to make, ordain, and establish such Orders, Rules, and Bye-laws, for the better executing of this Act; and also, from Time to Time, as Occasion may require, to repeal, add to, amend or alter such Rules, Orders, and Bye-laws, as to them shall seem meet, fitting, and requisite; and to fix and appoint reasonable pecuniary Penalties, not exceeding forty Shillings Sterling, for the Non-observance or other Breach of all or any such Rules or Bye-laws, or any Part thereof (to be recovered and applied in such Manner as is hereafter directed); and the said Baillies and Trustees, and their Successors in Office, shall cause the said Rules, Orders, and Bye-laws, to be printed and distributed, and hung up in the most conspicuous Place of the said Towns, and to pay the Expence and Charges thereof out of the Rates and Duties aforesaid.

Baillies, &c. at General Meetings, may make Bye-laws, &c.

XXXII. And it is hereby further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of the Recovery whereof is not otherwise hereby particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand of any one of the Baillies of the said Towns of *Port Glasgow* or *Newark*, or any one of the Justices of the Peace for the County or Place where the Offender shall dwell, which Warrant such Baillie or Justice is hereby authorized and required to grant, upon the Confession of the Party or Parties, or upon the Information of one or more credible Witnesses or Witnesses upon Oath; and that the Penalties and Forfeitures, when recovered (after rendering the Overplus, if any be, upon Demand, to the Party or Parties whose Goods shall be so distrained and sold, the Charges of such Distress being first deducted), shall be paid to the Collector or Collectors of the Duties hereby granted for the Time being, and shall be applied towards the Purposes of this Act: And that in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Baillie or Justice aforesaid, and he is hereby authorized and required, by Warrant under his Hand, to cause such Offender or Offenders to be committed to the Gaol of the County, or to the Gaol in *Port Glasgow*, therein to continue for a Time not exceeding two Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Penalties and Forfeitures how to be recovered and applied.

For want of Distress, Offenders to be committed.

XXXIII. And be it enacted by the Authority aforesaid, That the Right Honourable *William Earl of Glencairn*, and his Successors in the Estate of *Finlaystown*, the Provost, eldest Baillie, and Dean of Guild of the City of *Glasgow*, and their Successors in Office, *Robert Hamilton of Wishaw* Esquire, and his Successors in the Estate of *Newark*, or any three of them, as a *Quorum*, shall be and are hereby appointed Commissioners for revising, examining, auditing, and confirming the Accounts of the Receipts and Disbursements of the said Baillies and Trustees, under and by virtue of this Act, for the Ends and Purposes herein before mentioned.

Commissioners for auditing Accounts of Baillies, &c.

XXXIV. And be it further enacted by the Authority aforesaid, That a General Meeting of the said Commissioners shall be held in the Council Chamber at *Port Glasgow*, upon the second *Tuesday* of *October* next, and upon the second *Tuesday* of *October* in every following Year; and that the said Baillies and Trustees, and their Successors, shall, at every such General Meeting, cause to be laid before the said Commissioners, or any three or more of them, a true and fair Account of all Monies which shall have been collected and levied the Year preceding, from the Rates, Duties, Fines, and Forfeitures before mentioned, and of every Sum or Sums of Money which shall have been borrowed during the Year preceding, for the Uses and Purposes before mentioned; and also of all the Monies which shall have been used, paid, and applied, out of the same, for repairing, and keeping in Repair, the Breast and East and West Quays of the Harbour of *Port Glasgow*, and for carrying into Execution the several other Purposes herein before mentioned; and that all the said Accounts shall be examined and certified by the Commissioners present at such annual Meeting, or by the Majority of them; and that the said Commissioners shall, at every such Meeting, bear their own Charges.

Commissioners to meet annually;

and to bear their own Expences.

XXXV. And be it enacted by the Authority aforesaid, That it shall be in the Power of the said Commissioners, or the Majority of them, assembled at such annual General Meeting, to adjourn themselves from Time to Time, as they shall see Cause; and also it shall be in the Power of the said Baillies and Trustees, and their Successors in Office, at all Times, to call Meetings of the said Commissioners, when Necessity shall require, by Advertisements for that Purpose, published at least fourteen Days before the Day of such Meeting, in all the *Glasgow* News-papers for the Time being; and that no Business shall be proceeded in at any of the said Meetings unless there be three Commissioners at least present.

Meetings may be adjourned, &c.

XXXVI. And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to take away, alter, abridge, lessen, change, or intrude upon, any Right of Property, Jurisdiction, or Power of the Magistrates and Council of the City of *Glasgow*, and their Successors, in, about, or concerning the Harbour, Dock, Breast, Piers and Quays, built and to be built at *Port Glasgow*, and particularly the New or Mid Quay or Pier, lately built at *Port Glasgow* by the said Magistrates and Council; and also saving and reserving to the said Magistrates and Council, and Community of the City of *Glasgow*, all Rights and Privileges, whether of Property, Superiority, or Jurisdiction, that they have or are in Possession of, in and upon the River *Clyde*, except in so far as contained in the aforesaid Contract; also saving and reserving to the said Magistrates and City Council of *Glasgow*, and to all Lords of Baronies, and to all other Bodies Politick or Corporate, and other Person or Persons whatever, all their legal Rights, Estates, and Interests in the Premises, and particularly reserving to all Proprietors of Ground, within the Bounds and Limits aforesaid of the said Towns of *Port Glasgow* and *Newark*, through which Pipes or Conductors have already been or may hereafter be brought, full Power and Liberty, at any Time hereafter, to take and use Water for themselves and the Inhabitants dwelling on or

Reservation of Rights.

possessing such Grounds; and also reserving to all and every Person or Persons within the Bounds and Limits aforesaid, already possessed of Pipes for bringing Water into the said Towns of *Port Glasgow* or *Newark*, or either of them, and being served with Water by the said Pipes, their full Rights and Interests in the Premises, as formerly enjoyed by them.

Rights of Robert Hamilton of Withaw, Esq; reserved.

XXXVII. And it is hereby specially provided and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to take away, lessen, hurt, or infringe, any Right of Superiority, Jurisdiction, or other Right whatsoever, which the said *Robert Hamilton of Withaw Esquire*, or his Predecessors, now have or had over the Grounds of the said Towns of *Port Glasgow* and *Newark*, within the said Bounds and Limits aforesaid; and that all Right whatever competent to him therein shall continue and remain with him, his Heirs and Successors, and have the same Effect as formerly, and as if this present Act had not been made, any Thing herein contained to the contrary notwithstanding.

Oaths may be administered by Baillies or Justices of the Peace.

XXXVIII. And be it further enacted by the Authority aforesaid, That in all Cases where Cognizance is given to any of the said Baillies of *Port Glasgow* and *Newark*, or any Justice or Justices of the Peace, by this Act, it shall be lawful for the said Baillie or Baillies, Justice or Justices of the Peace, to administer an Oath to any Person or Persons, for his or their more certain Information in the Matter or Matters which shall be then depending.

Defendants may produce this Act in any Suit, &c.

XXXIX. And be it further enacted by the Authority aforesaid, That in case any Suit or Action shall be commenced against the said Baillies and Trustees, or their Successors, or any other Person or Persons, for any Thing done in pursuance of this Act, the Defendant or Defendants in such Suit or Action may produce this Act, and plead that the said Things were done by Authority and in pursuance of this Act; and if it shall appear so to be done, that then the Defendants shall be absolved from every such Suit, Action, or Actions, and shall have Treble Costs and Expences in the Defence thereof awarded to them from and against the Prosecutor or Prosecutors of the same.

Treble Costs.

Sheriffs, &c. to assist in putting this Act in Execution. Publick Act.

XL. And be it further enacted by the Authority aforesaid, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executors of the Law whatsoever, and every of them, are hereby required to be aiding and assisting in putting this Act into due and effectual Execution: And that this Act shall be deemed, taken, and allowed, in all Courts of Law and Equity, as a Publick Act; and all Judges and Justices are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. LXI.

An Act vesting in *James Watt*, Engineer, his Executors, Administrators, and Assigns, the sole Use and Property of certain Steam Engines, commonly called *Fire Engines*, of his Invention, described in the said Act, throughout his Majesty's Dominions, for a limited Time.

Preamble.

His Majesty's Letters Patent granted to James Watt recited.

Specification of the Fire Engine.

WHEREAS his most Excellent Majesty, King *George the Third*, by his Letters Patent, under the Great Seal of *Great Britain*, bearing Date the fifth Day of *January*, in the ninth Year of his Reign, did give and grant unto *James Watt*, of the City of *Glasgow*, Merchant, his Executors, Administrators, and Assigns, the sole Benefit and Advantage of making and vending certain Engines, by him invented, for lessening the Consumption of Steam and Fuel in Fire Engines within that Part of his Majesty's Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick upon Tweed*, and also in his Majesty's Colonies and Plantations abroad, for the Term of fourteen Years; with a Proviso, obliging the said *James Watt*, by Writing under his Hand and Seal, to cause a particular Description of the Nature of the said Invention to be inrolled in his Majesty's High Court of Chancery, within four Months after the Date of the said recited Letters Patent: And whereas the said *James Watt* did, in pursuance of the said Proviso, cause a particular Description of the said Engine to be inrolled in the said High Court of Chancery, upon the twenty-ninth Day of *April*, in the Year of our Lord one thousand seven hundred and sixty-nine, which Description is in the Words and Form, or to the Effect following; that is to say, "My Method of lessening the Consumption of Steam, and consequently Fuel, in Fire Engines, consists of the following Principles: First, That Vessel in which the Powers of Steam are to be employed to work the Engine which is called *The Cylinder* in common Fire Engines, and which I call *The Steam Vessel*, must, during the whole Time the Engine is at Work, be kept as hot as the Steam that enters it; first, by inclosing it in a Case of *Wool*, or any other Materials that transmit Heat slowly; secondly, by surrounding it with Steam, or other heated Bodies; and, thirdly, by suffering neither Water, or any other Substance colder than the Steam, to enter or touch it during that Time. Secondly, In Engines that are to be worked wholly or partially by Condensation of Steam, the Steam is to be condensed in Vessels distinct from the Steam Vessels or Cylinders, although occasionally communicating with them; these Vessels I call *Condensers*; and, whilst the Engines are working, these *Condensers* ought at least to be kept as cold as the Air in the Neighbourhood of the Engines, by Application of Water, or other cold Bodies. Thirdly, Whatever Air or other elastic Vapour is not condensed by the Cold of the *Condenser*, and may impede the Working of the Engine, is to be drawn out of the Steam Vessels or *Condensers* by means of Pumps, wrought by the Engines themselves, or otherwise. Fourthly, I intend in many Cases to employ the expansive Force of Steam to press on the Pistons, or whatever may be used instead of them, in the same Manner as the Pressure of the Atmosphere is now employed in common Fire Engines: In Cases where cold Water cannot be had in Plenty, the Engines may be wrought by this Force of Steam only, by discharging the Steam into the open Air after it has done its Office;" [which Fourth Article the said *James Watt* declares, in a Note

affixed to the Specification of the said Engine, should not be understood to extend to any Engine where the Water to be raised enters the Steam Vessel itself, or any Vessel having an open Communication with it.] “Fifthly, Where Motions round an Axis are required, I make the Steam Vessels in Form of hollow Rings, or circular Channels, with proper Inlets and Outlets for the Steam, mounted on horizontal Axles, like the Wheels of a Water Mill; within them are placed a Number of Valves, that suffer any Body to go round the Channel in one Direction only; in these Steam Vessels are placed Weights, so fitted to them, as entirely to fill up a Part or Portion of their Channels, yet rendered capable of moving freely in them, by the Means herein after mentioned or specified: When the Steam is admitted in these Engines, between these Weights and the Valves, it acts equally on both, so as to raise the Weight to one Side of the Wheel, and by the Re-action on the Valves, successively, to give a circular Motion to the Wheel, the Valves opening in the Direction in which the Weights are pressed, but not in the contrary; as the Steam Vessel moves round, it is supplied with Steam from the Boiler, and that which has performed its Office may either be discharged by means of Condensers, or into the open Air. Sixthly, I intend, in some Cases, to apply a Degree of Cold, not capable of reducing the Steam to Water, but of contracting it considerably, so that the Engines shall be worked by the alternate Expansion and Contraction of the Steam. Lastly, Instead of using Water to render the Piston or other Parts of the Engines Air and Steam tight, I employ Oils, Wax, resinous Bodies, Fat of Animals, Quicksilver, and other Metals, in their fluid State.” And whereas the said *James Watt* hath employed many Years, and a considerable Part of his Fortune, in making Experiments upon Steam, and Steam Engines, commonly called *Fire Engines*, with a View to improve those very useful Machines, by which several very considerable Advantages over the common Steam Engines are acquired; but upon account of the many Difficulties which always arise in the Execution of such large and complex Machines, and of the long Time requisite to make the necessary Trials, he could not complete his Intention before the End of the Year one thousand seven hundred and seventy-four, when he finished some large Engines as Specimens of his Construction, which have succeeded so as to demonstrate the Utility of the said Invention: And whereas, in order to manufacture these Engines with the necessary Accuracy, and so that they may be sold at moderate Prices, a considerable Sum of Money must be previously expended in erecting Mills, and other Apparatus; and as several Years, and repeated Proofs, will be required before any considerable Part of the Publick can be fully convinced of the Utility of the Invention, and of their Interest to adopt the same, the whole Term granted by the said Letters Patent may probably elapse before the said *James Watt* can receive an Advantage adequate to his Labour and Invention: And whereas, by furnishing mechanical Powers at much less Expence, and in more convenient Forms, than has hitherto been done, his Engines may be of great Utility in facilitating the Operations in many great Works and Manufactures of this Kingdom; yet it will not be in the Power of the said *James Watt* to carry his Invention into that complete Execution which he wishes, and so as to render the same of the highest Utility to the Publick of which it is capable, unless the Term granted by the said Letters Patent be prolonged, and his Property in the said Invention secured, not only within that Part of *Great Britain* called *England*, the Dominion of *Wales*, the Town of *Berwick upon Tweed*, and his Majesty's Colonies and Plantations abroad, but also within that Part of *Great Britain* called *Scotland*, for such Time as may enable him to obtain an adequate Recompence for his Labour, Time, and Expence: To the End, therefore, that the said *James Watt* may be enabled and encouraged to prosecute and complete his said Invention, so that the Publick may reap all the Advantages to be derived therefrom in their fullest Extent, may it please your most Excellent Majesty (at the humble Petition and Request of the said *James Watt*) 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 sole Privilege and Advantage of making, constructing, and selling the said Engines, herein before particularly described, within the Kingdom of *Great Britain*, and his Majesty's Colonies and Plantations abroad, shall be, and are hereby declared to be, vested in the said *James Watt*, his Executors, Administrators, and Assigns, for and during the Term of twenty-five Years; and that he the said *James Watt*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said *James Watt*, his Executors, Administrators, and Assigns, shall at any Time agree with, and for no others, from Time to Time, and at all Times, during the Term of Years herein before mentioned, shall and lawfully may make, use, exercise, and vend the said Engines, within the Kingdom of *Great Britain*, and in his Majesty's Colonies and Plantations abroad, in such Manner as to him the said *James Watt*, his Executors, Administrators, and Assigns, shall in their Discretions seem meet; and that the said *James Watt*, his Executors, Administrators, and Assigns, shall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time coming, growing, accruing, and arising, by reason of these his said Inventions, for the said Term of twenty-five Years, to have, hold, receive and enjoy the same, for and during and to the full End and Term of twenty-five Years, as aforesaid; and that no other Person or Persons within the Kingdom of *Great Britain*, or any of his Majesty's Colonies or Plantations abroad, shall, at any Time during the said Term of twenty-five Years, either directly or indirectly, do, make, use, or put in Practice, the said Inventions, or any Part of the same, so attained unto by the said *James Watt* as aforesaid, nor in any wise counterfeit, imitate, or resemble the same; nor shall make, or cause to be made, any Addition thereunto, or Substraction from the same, whereby to pretend himself or themselves the Inventor or Inventors, Devisor or Divisors thereof, without the Licence, Consent, or Agreement of the said *James Watt*, his Executors, Administrators, or Assigns, in Writing under his or their Hand and Seal, or Hands and Seals, first had and obtained in that Behalf, upon such Pains and Penalties as can or may be justly inflicted on such Offenders for

Sole Privilege of making, &c. said Engines vested in *James Watt*, his Executors, &c. for 25 Years.

their Contempt of this Act; and further, to be answerable to the said *James Watt*, his Executors, Administrators, and Assigns, according to Law, for his and their Damages thereby occasioned.

This Act not to extend to hinder any Person from making or using any Fire Engine, &c. which is not the present Invention of the said *James Watt*.

Proviso.

The Privileges granted by this Act not to be transferred to more than 5 Persons;

II. Provided always, and be it hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or hinder any Person or Persons from making or using any Fire or Steam Engine, or any particular Contrivance relating to the same, which is not at present of the Invention of the said *James Watt*, or which has been publicly used or exercised by any other Person or Persons before the Time of the Date of the said Letters Patent herein recited; but that all such Engines and Contrivances which are not at present of the said Invention of the said *James Watt*, or are not particularly specified in this Act, shall be and remain to the Publick, and to the respective Inventors thereof, as if this Act had never been made, any Thing herein contained to the contrary notwithstanding.

III. Provided also, That every Objection in Law competent against the said Patent, shall be competent against this Act to all Intents and Purposes, except so far as relates to the Term hereby granted.

IV. Provided always, That if the said *James Watt*, his Executors, Administrators, or Assigns, or any Person or Persons who shall at any Time, during the said Term of twenty-five Years, have or claim any Right, Title, or Interest, in Law or Equity, of, in, or to the Power, Privilege, or Authority, of the sole Use and Benefit of the said Invention, shall make any Transfer or Assignment, or pretended Transfer or Assignment, of the said Liberty or Privilege hereby granted, or any Share or Shares of the Benefit or Profits thereof; or shall declare any Trust thereof to or for any Number of Persons exceeding the Number of five; or shall open, or cause to be opened, any Book or Books for publick Subscriptions, to be made by any Number of Persons exceeding the Number of five, in order to the raising any Sum or Sums of Money, under Pretence of carrying on the said Liberty or Privilege hereby granted; or shall by him or themselves, or his or their Agents or Servants, receive any Sum or Sums of Money whatsoever, of any Number of Persons exceeding in the Whole the Number of five, for such or the like Intents or Purposes; or shall presume to act as a Corporate Body; or shall divide the Benefit of the Liberty or Privileges hereby granted, into any Number of Shares exceeding the Number of five; or shall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatsoever, during such Time as such Person or Persons shall have any Right or Title, either in Law or Equity, which shall be contrary to the true Intent and Meaning of an Act of Parliament, made in the sixth Year of the Reign of his late Majesty King *George the First*, intituled, *An Act for the better securing certain Powers and Privileges intended to be granted by his Majesty, by two Charters, for Assurance of Ships and Merchandises at Sea, and for lending Money upon Bottomry, and for restraining several extravagant and unwarrantable Practices therein mentioned*; or in case the said Power, Privilege, or Authority, shall at any Time become vested in or in Trust for more than the Number of five Persons, or their Representatives, at any one Time, otherwise than by Devise or Succession (reckoning Executors and Administrators as and for the single Persons whom they represent, as to such Interest as they are or shall be intitled to in Right of such their Testator or Intestate); that then, and in every of the said Cases, all Liberties and Advantages whatsoever hereby granted shall utterly cease, determine, and become void, any Thing herein before contained to the contrary thereof in any wise notwithstanding.

on Penalty of forfeiting the same.

Publick Act.

V. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. LXII.

An Act for completing and maintaining the Pier at the Town of *Mevagiffey*, in the County of *Cornwall*.

Preamble.

WHEREAS the Town of *Mevagiffey*, in the County of *Cornwall*, is situated on the South Side of the said County, contiguous to the *British Channel*, and hath been for a long Series of Years found a very convenient Situation for carrying on the *Pilchard Fishery*; and the same has been done to the great Advantage, not only of the Publick in general, but of many Persons concerned or employed therein; and for the Safety and Protection of Vessels employed in the said Fishery, and others who might have Occasion to navigate to and from the said Town, a small Pier was formerly erected and kept in Repair by the Owner of the Ground and Soil near to the same; and certain small Dues were taken from the Owners of all such Vessels as partook of the Protection thereof: And whereas the said Pier having been found very inconvenient, difficult of Access, and inadequate to the Increase of the said Fishery, and the Resort of Vessels to the said Town, the same hath been suffered to fall into Ruin and Decay; and it hath been judged necessary to erect a new Pier upon a more extended and enlarged Plan; for which Purpose the Sum of one thousand three hundred Pounds, or thereabouts, hath been subscribed and paid; which hath been expended in executing Part of the Work intended to be carried into Execution; and in order to make and erect the proper Embankments, Quays, Wharfs, Ways, Passages, and Approaches to the said Pier, and for the Protection thereof, it is necessary to vest in Commissioners the Soil of a sufficient Quantity of Ground; and for that End, and for completing the several Works aforesaid, and in making Satisfaction to the Owners of the Ground and Soil which will be used in effecting the same, it hath been found, that the further Sum of three thousand Pounds, or thereabouts, will be necessary; and that, by laying a reasonable Tonnage or Duty on all Ships and other Vessels which shall partake of the Benefits resulting from the said Improvements, not only the said further Sum, but the Interest thereof, and of the Sums already advanced, may be kept down, and the said Pier and Works at all Times kept and maintained in good and sufficient Repair; yet, nevertheless, the good Ends and Purposes

‘ Purposes aforesaid cannot be effectually carried into Execution 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 all Persons who for the Time being shall be seized of any Freehold or Inheritance of any Lands, Tenements, or Hereditaments (except those possessed of a Freehold under a Lease granted for a Life or Lives absolute, with a reserved yearly Rent payable out of the same), within the Town and Parish of *Mevagissey*, of the clear yearly Value of ten Pounds above Reprizes; that all such Person and Persons as shall or may for the Time being be seized respectively of the Freehold or Inheritance of the several Houses of *Carbais* in the Parish of *Saint Michael Carbais*, of *Trewarthenick* in the Parish of *Cornely*, of *Penrice* in the Parish of *Saint Austell*, of *Heligan* in the Parish of *Saint Ewe*, the Vicar of *Mevagissey* for the Time being, the Right Honourable *Robert Lord Viscount Clare* in the Kingdom of Ireland, *John Quicke* of *Nanswbydden* in the County of *Cornwall* Esquire, and *John Symmons* of *Slebeck* in the County of *Pembroke* Esquire, *Samuel Ball*, *Stephen Rice*, *Thomas Jago*, *Roger Pascoe*, *Oliver Pascoe*, *John Pearce*, *Richard Nicholls*, *Philip Ball*, *John Rawe*, and *John Mills* the elder, and their Successors, to be elected in Manner herein after mentioned, shall be, and they are hereby constituted and appointed Trustees, for carrying on, completing, maintaining, and preserving, the said Pier, and for executing such other Works as to them, or any five or more of them, at their General Meeting assembled, shall seem most proper and convenient, and for putting in Execution all other the Powers in and by this Act given and granted, according to the Method herein after prescribed; and it shall and may be lawful to and for the said Trustees, or any five or more of them, to order and direct all Matters and Things, and to cause the same to be done, from Time to Time, which shall be necessary for the carrying on, completing, maintaining, and preserving, the said Pier, and the other Works directed to be done, according to the true Intent and Meaning of this Act.

Trustees appointed:

Their Powers,

II. And be it further enacted by the Authority aforesaid, That when and as often as any Trustee, Inhabitant of the said Town of *Mevagissey*, shall die, or cease to be an Inhabitant of the said Town of *Mevagissey*, the surviving or remaining Trustees, or any five or more of them, shall and may, by Writing under their Hands and Seals, nominate and appoint one or more Person or Persons, being an Inhabitant or Inhabitants of the said Town of *Mevagissey*, being possessed of or intitled to a Real or Personal Estate of the Value of five hundred Pounds, to be a Trustee or Trustees, in the Room of such Trustee or Trustees so dying, or ceasing to be an Inhabitant or Inhabitants of the said Town; and such Trustee or Trustees, so nominated and appointed as aforesaid, shall have the same Power and Authority for putting this Act in Execution as the Trustee or Trustees in whose Place or Places he or they were so chosen were invested with.

In case of Death, &c. other Trustees to be elected.

III. And be it further enacted, That the first Meeting of the said Trustees shall be on the fourteenth Day after the passing of this Act, at the House of *Joseph Wilson*, within the said Town of *Mevagissey*; and that it shall and may be lawful for the said Trustees, or any five or more of them, to meet and assemble from Time to Time as they see proper, at such Place or Places as they shall judge most convenient, within the said Town of *Mevagissey*, for carrying on and effecting the Purposes of this Act.

Time and Place of the first Meeting of the Trustees, &c.

IV. And be it further enacted, That it shall and may be lawful for the said Trustees, or any five or more of them, and their Agents and Officers, from Time to Time, by their Orders and Directions, to take away or remove any Obstructions that may be necessary to be taken away or removed for the improving, completing, and maintaining, the said Pier and other Works as aforesaid, or for the better attaining the Purposes of this Act, making Satisfaction to the respective Owner or Owners of the Premises in such Manner as is herein after mentioned.

Trustees may remove Obstructions,

making Satisfaction to Owners.

V. And be it further enacted, That it shall and may be lawful for the said Trustees appointed by this Act, or any five or more of them, to contract and agree with any Workmen, Artificers, or other Persons whomsoever, *bona fide*, for the making and doing all and every or any Part of the Work or Business to be done in or about the completing the said Pier, and also with any Person or Persons for Timber, Stones, or other Materials which shall be necessary to be used in or about the completing the said Pier and other Works aforesaid.

Trustees may contract for making the Works.

VI. And whereas, in order for the better carrying into Execution the Purposes of this Act, it will be necessary to extinguish the said ancient Dues, and to vest in the Trustees appointed by this Act not only the Ground and Soil upon which the said Pier shall stand, but also five hundred and sixty Feet of Ground in Length, for the Purpose of erecting a Wharf and Approach to the said Pier, to be ascertained by a direct Line from the Stairs of a certain Place called *The Old Quay*, to the Wharf of a certain Cellar next the Sea, now in the Occupation of *Robert Glanvill*, and to be continued in a straight Line from the said Cellar Wall to a certain other Cellar Wall next a Place called *The Strand*, now in the Occupation of *Charles Pearce*, and in Breadth twenty Feet, to be ascertained by Admeasurement from the Line connecting the Cellar Walls of the said *Robert Glanvill* and *Charles Pearce* outward towards the Beach, and from the Cellar Wall of the said *Robert Glanvill* to the *Old Quay Stairs*; and likewise twenty Feet in Breadth, from the Eastern End of the said intended Wharf, to be continued from thence, as an Approach to the Platform of the said Pier: And whereas, as a full Satisfaction and Compensation for the said Ground and ancient Dues, it hath been agreed, that the clear annual Sum of ten Pounds shall be charged upon the said Pier and Wharfs, and be paid out of the Tolls or Duties by this Act laid or imposed, for the Benefit of the present and future Owners of the said Ground, and the Person or Persons who is, are, or could be intitled to claim and demand the said ancient Dues; be it therefore enacted, That the said ancient Dues shall, from and after the passing of this Act, be, and the same are hereby extinguished, and shall be no longer payable or demandable; and that the said Ground and Soil whereon the said Pier doth or shall stand or be erected, and also the said Pieces of Ground herein before described, shall from thenceforth be, and the same are hereby accordingly vested in the said Trustees and their Successors,

Certain necessary Things to be done for the Purposes of this Act.

Ancient Dues to be extinguished; and Ground for the Pier, and other Ground to be purchased, vested in Trustees.

as their absolute Estate and Property, for the Purposes of this Act, for ever, free from all Charges, Incumbrances, and Estates whatsoever, subject only to the said annual Sum of ten Pounds.

Pier and Wharfs chargeable with the Payment of 10*l.* per Annum for the Ground purchased.

‘VII. And that in Consideration thereof,’ be it further enacted, That the said Pier and Wharfs, and the Tolls and Duties hereby laid and imposed, shall, in the first Place, be liable to and charged with the clear annual Sum of ten Pounds, to be paid and payable to the present and future Owners of the said ancient Dues and Pieces of Ground herein before described, for ever, at two Days or Times in the Year, by equal Portions, that is to say, the twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, the first Payment thereof to begin and be made on such of the said Days as shall first happen after the passing of this Act; and that the Person or Persons, the Possessors of *Nanswbydden* and Manors of *Mevagiffey*, who for the Time being shall be intitled to the said annual Sum of ten Pounds, shall have and be intitled to all such Powers and Remedies for recovering and receiving the same as are usually given in the Cases of Rent-charge.

Trustees to pay the said 10*l.* per Annum out of the Tolls.

‘VIII. And, for the more regular and punctual Payment of the said annual Sum of ten Pounds,’ be it further enacted, That the said Trustees, and their Successors, shall, and they are hereby authorised and directed, from Time to Time, as the said annual Sum shall become due, to pay the same out of the said Trust Monies then or which shall afterwards first come to their Hands, any Thing in this Act contained to the contrary thereof notwithstanding.

Trustees may purchase other Lands.

IX. And be it further enacted, That the said Trustees, or any five or more of them, shall have full Power and Authority to agree with the Owner or Owners, Occupier or Occupiers, of any other Buildings, Houses, Grounds, or Estates, as they shall find necessary for, them to be possessed of, or to be removed, or otherwise employed, for the better Execution of the Purposes of this Act.

Bodies Politick, or other Persons under Incapacity, empowered to convey Lands, &c.

X. ‘And whereas it may happen that some Person or Persons, or Bodies Politick or Corporate, Feoffees in Trust, Infants, Females-covert, or others disabled by Law to grant or convey the Inheritance in Lands, may be seized of Lands and Tenements which may be necessary to be conveyed and made use of for the Purposes of this Act;’ be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for all Bodies Politick or Corporate, whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or Trustees whatsoever, for and on Behalf of any Infants, Females-covert, or other Cestuique Trusts, and for all and every other Person or Persons whomsoever, who are or shall be seized, possessed of, or interested in, any Lands, Tenements, or Hereditaments, to treat and agree with the said Trustees, or any five or more of them, at their publick Meeting or Meetings, from Time to Time to be appointed for the Sale of, and to convey to the said Trustees, or their Successors, for such valuable Consideration as shall be *bona fide* agreed upon, such Buildings, Houses, Lands, Tenements, or Hereditaments, as shall be by the said Trustees, or any five or more of them, adjudged necessary and convenient for the Purposes aforesaid; and that all Contracts, Agreements, Sales, and Conveyances, which shall be *bona fide* made for the Purposes aforesaid, shall be good and effectual in Law to all Intents and Purposes, any Law, Statute, Usage, or other Matter or Thing whatsoever to the contrary thereof in any-wise notwithstanding.

Feoffees in Trust, &c. indemnified for so doing.

XI. And be it enacted, That all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons aforesaid, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

If Persons sustain Damage by Neglect or Default, Trustees may settle the Recompence;

XII. And be it further enacted, That if any Person or Persons shall, at any Time or Times, sustain any Damage in his, her, or their Lands, Hereditaments, or Property, by the Execution of any of the Powers of this Act, by any Act, Neglect, or Default of the said Trustees, or of the Workmen employed therein, or otherwise, in every such Case, the said Trustees, or any five or more of them, shall have full Power, from Time to Time, and at all Times, to settle and agree upon such Recompence and Satisfaction to be made for the same to the Person or Persons injured or aggrieved, as they shall judge fit and reasonable to be paid, out of the Monies arising or to be raised in pursuance of by virtue of this Act; but if it shall happen that the Person or Persons making Complaint of such Losses or Damages shall dislike or be dissatisfied with such Recompence and Satisfaction, in every such Case, it shall be lawful for the said Trustees, or any five or more of them, and they are hereby required and empowered, from Time to Time, upon Request in Writing to be made or given to them, or any five or more of them, by such Person or Persons injured or aggrieved as aforesaid, to issue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff for the Time being of the said County of *Cornwall*, requiring such Sheriff to impanel, summon, and return, and the said Sheriff is hereby required accordingly to impanel, summon, and return, a Jury of twenty-four able and sufficient Men, qualified according to the Laws and Statutes of this Realm to be returned for Trials of Issues joined in his Majesty's Courts at *Westminster*, to appear before the said Trustees, or any five or more of them, at such Time and Place as in and by such Warrant or Warrants shall be appointed, and also to return Issues upon every Person so impanelled and returned the Sum of forty Shillings, which shall be duly estreated and levied; and for Default of a sufficient Number of Jurymen appearing, such 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 make up the said Jury to the Number of twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen: And the said Trustees, or any five or more of them, are hereby empowered, by Warrant or Warrants under their Hands and Seals, from Time to Time, as Occasion shall require, to summon and call before them all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question: And the said Trustees, or any five or more of them, may authorise and order the said Jury, or any six or more of them, to view the Place or Places, or Matter in question; which Jury, upon their Oaths, to be administered by the said Trustee, (which Oaths, and also proper Oaths to such Person or Persons as shall be called upon to give Evidence as a Witness or Witnesses before the said Trustees, the said Trustees, or any two or more of them, are hereby empowered to administer), shall inquire how far the

but if such Persons be dissatisfied, a Jury to be summoned.

Jurymen may be challenged; and Witnesses may be examined.

said Trustees, or their Agents or Servants, have any-ways occasioned such Damage; and if any shall appear, such Jury shall assess the Value of such Damage, and the said Trustees, or any five or more of them, shall pay to the Party or Parties so aggrieved or injured the Money so assessed: And in case the said Trustees, or any five or more of them, shall not (being thereunto required) make such Payment within thirty Days after such Request made, the Person or Persons aggrieved, or his, her, or their Agents, may appoint one or more Person or Persons to collect and receive the Rates and Duties by this Act given, charged, and made payable, and thereout to pay the Damages which shall have been settled and assessed as aforesaid; and the Money to be received and collected by such Person or Persons so appointed shall be, and is hereby declared to be, as so much Money received to the Use of the Person or Persons who hath or have suffered such Damage, in Order and Course successively as such Determination shall be in Priority of Time; and after such Damage or Damages so settled and assessed, and the reasonable Charges of such Collection shall be paid and satisfied, the Power and Authority of the Person or Persons so appointed Collector or Receiver, Collectors or Receivers, for the Purposes aforesaid, shall cease and determine.

Jury to assess the Value of the Damage. If Payment be not made to Persons aggrieved within 30 Days, they may collect the Rates.

No Satisfaction to be allowed unless Complaint be made within 3 Months.

The Property of the Piers, Quays, and Wharfs, vested in Trustees.

Trustees in all Leases to mention what Sums are to be taken by the Lessee. Penalty on Lessees demanding more than the Sums stipulated.

No Person to throw Ballast, &c. into the Pier, or take away Stones, &c.

40s. Penalty on Persons offending.

Trustees may appoint Persons to order the Anchorage, &c. of all Vessels.

5l. Penalty on Commanders of Ships for Refusal.

XIII. Provided always, That no Person or Persons whomsoever shall be intitled to Satisfaction for any Damages, nor shall the said Trustees, or any of them, be obliged to take any Notice of any Application in relation thereto, unless the Complaint of such Damages shall have been made within the Space of three Calendar Months next after such Damages shall have been sustained.

XIV. And be it further enacted, That the Right and Property of all and every the Pier, Quays, Wharfs, Docks, and all other Works to be erected, made, or done, in pursuance of this Act, and also the Property of the Ground whereon such Works shall be erected, shall be vested in the said Trustees and their Successors; and they, or any five or more of them, are hereby authorized and impowered to bring Actions, or prefer Bills of Indictment, against any Person or Persons who shall steal, take away, break down, or spoil, any Works or Materials used or to be used in the Work of completing and maintaining the said Pier, or shall do any Act, Matter, or Thing, whereby any Damage may accrue to the said Pier or Works; and the said Trustees, or any five or more of them, are hereby authorized and impowered, from Time to Time, to let out, for the best Rent that can be obtained, such Wharfs, Docks, or Lands, the Property whereof is hereby vested in them, for any Term not exceeding twenty-one Years, the Rent arising therefrom to be applied towards completing and maintaining the said Pier and Works.

XV. And, to prevent any Exactions and unreasonable Demands from the respective Tenants or Lessees under the said Trustees, be it enacted, That the said Trustees shall, in every Agreement they shall enter into for the leasing or letting such Wharfs, Docks, or other Works, as aforesaid, expressly mention what Sums shall be demanded or taken by the respective Tenants or Lessees for the Use of such Wharfs, Docks, or other Works, of the Master or Owner of any Ship or Vessel occupying the same; and if such Tenant or Lessee shall demand or take more than the Sum stipulated by such Agreement, such Tenant or Lessee shall, for every such Offence, forfeit treble the Sum demanded more than he shall be allowed to take by such Agreement, to be recovered and levied in Manner herein-after mentioned; one Moiety of which Forfeiture shall be applied to the completing and maintaining the said Pier and other Works, and the other Moiety to such Person or Persons as shall prosecute, sue for, and recover the same.

XVI. And be it further enacted, That from and after the twenty-fourth Day of July, one thousand seven hundred and seventy-five, no Person or Persons whatsoever shall throw or empty any Ballast, Earth, Dust, Ashes, Rubbish, or Stones, into the said Pier, or take away any Ballast, Shingle, Stones, or other Things, the Removal or taking away of which may be prejudicial to the said Pier, or to the Works erected or to be erected for the Security of the same, or do any Act, Matter, or Thing, to prejudice or annoy the same; and if any such Prejudice or Annoyance shall be done, the Matter thereof shall be examined into by the said Trustees hereby appointed, or by virtue of this Act to be appointed from Time to Time, or any three or more of them, who are hereby impowered, for every such Offence, to impose any Fine or Fines upon every or any Person or Persons so offending, not exceeding the Sum of forty Shillings, which the said Trustees, or any three or more of them, by Warrant under their Hands and Seals, directed to such Person or Persons as the said Trustees, or any three or more of them, shall for that Purpose name or appoint, are hereby impowered to levy and raise, by Distress and Sale of the respective Goods and Chattels of every or any such Offender or Offenders, rendering to him or them the Overplus, if any there be, and he, she, or they, shall demand the same; and the said Fine or Fines, when levied, shall be paid to such Person or Persons as the said Trustees, or any three or more of them, shall direct and appoint to receive the same, to be applied as herein-after directed.

XVII. And, for the more orderly Government of the said Pier, and for the better preserving the same, and the Pier or Piers, and other Works, now erected or hereafter to be erected there, from Prejudice or Damage, be it enacted, That the said Trustees, or any five or more of them, shall have Power and Authority, and they are hereby authorized and impowered to nominate and appoint, by Writing under their Hands and Seals, a Person or Persons, as they shall think proper, with such annual Allowance or Salary out of the Rates and Duties by this Act granted and made payable as they shall think fit, not exceeding ten Pounds *per Annum*; and such Person or Persons, so appointed, shall, from Time to Time, order and require all and every or any Person or Persons, having the Command or Rule of any Ship, Bark, Boat, or other Vessel, entering into, lying, being, or abiding within the said Pier, to lie, anchor, moor, and ballast the same, in such proper Place or Places within the said Pier as the said Person or Persons so appointed shall order, assign, or direct for that Purpose; provided that the Person or Persons so appointed shall, to the best of his or their Skill and Knowledge, order or require such Ship, Bark, Boat, or Vessel, to lie, anchor, moor, or ballast, in a Place of Safety; and in case any Person or Persons then having the Rule or Command of any Ship, Bark, Boat, or other Vessel, shall neglect or refuse so to do, he and they, and each of them, for such Neglect or Refusal, shall forfeit and pay any Sum not exceeding five Pounds; to be recovered and applied in Manner herein-after directed.

XVIII. And

Trustees to ap-
point Receivers
of the Rates to
be paid on land-
ing of Goods.

The Duties.

XVIII. And be it further enacted, that for the better effecting and Support of the Premises, there shall from and after the twenty-fourth Day of July, one thousand seven hundred and seventy-five, be paid to the said Trustees, and their Successors, or to such Person or Persons as they, or any five or more of them, shall from Time to Time appoint as their Deputy or Deputies, Receiver or Receivers, to collect and receive the same; and they the said Trustees, and their Successors, and such Person or Persons as they, or any five or more of them, shall from Time to Time appoint as aforesaid, are hereby authorized and empowered to demand, collect, receive, and take, of and from the Masters and Owners, Master and Owner, or other Person or Persons having the Rule or Command of every Ship, Bark, or other Vessel, the several Rates and Duties following; that is to say,

XIX. For every Bushel (each Bushel to contain eighty-four Pounds Weight) of Foreign or *British* Salt imported, or brought Coastwise, for the Purpose of curing Pilchards, Herrings, or any other Fish for Exportation, and on which a Bounty is allowed, one Halfpenny *per* Bushel; to be paid immediately on the landing the said Salt on the Quay, Wharf, Beach, Strand, or any Part of the Town of *Mevagiffey*:—For every Quarter of a Wey of Coals, Culm, and Cinders (according to the Admeasurement of the Port of *Fowey*), landed at the Quay, Wharf, Beach, Strand, or any Part of the Town of *Mevagiffey*, Four-pence *per* Quarter:—For every Stop-sean (with the Tuck-sean, one Sean-boat, one Follower, and one Lurker thereto belonging) already sat out from and belonging to the said Town of *Mevagiffey*, the Sum of one Pound and one Shilling yearly, payable at *Christmas*:—For every new or additional Stop-sean (with the Tuck-sean, one Sean-boat, one Follower, and one Lurker thereto belonging), upon their first setting out from and belonging to the said Town of *Mevagiffey*, the Sum of four Pounds and four Shillings, and the further yearly Sum of one Pound and one Shilling, payable at *Christmas*:—For every Stop-sean brought into the said Pier by Non-inhabitants, or partly Inhabitants, or partly Non-inhabitants, of the said Town of *Mevagiffey*, with one Tuck-sean, one Sean-boat, one Follower, and one Lurker, such Non-inhabitants curing the Fish taken in the said Sean in the said Town of *Mevagiffey*, the Sum of four Pounds and four Shillings; to be paid immediately on the landing of any Part of the said Fish within the said Pier, Quay, Wharf, Beach, Strand, or any Part of the said Town of *Mevagiffey*; and the further yearly Sum of one Pound and one Shilling, payable at *Christmas*:—For every Driving-boat, carrying a String of Nets for taking Pilchards, the said Boat belonging to or having sat out from the said Town of *Mevagiffey* the yearly Sum of one Pound and one Shilling, payable at *Christmas*:—For every other Boat (except Sean-boats, Followers, or Lurkers) sat out from or belonging to the said Town of *Mevagiffey*, the yearly Sum of two Shillings and Sixpence, payable at *Christmas*:—For every new or other Boat (except such Sean, Follower, or Lurker Boats, as aforesaid) bought by or belonging to any of the Inhabitants of the said Town of *Mevagiffey*, the Sum of three Shillings and Fourpence on the first entering of such Boats into the said Pier, over and above the said yearly Sum of two Shillings and Sixpence:—For every Person employed or acting as a Seaman on Board such Boats, having a Stop-sean and Tuck-sean thereunto belonging, the yearly Sum of two Shillings and Sixpence, payable at *Christmas*; which said Sum of two Shillings and Sixpence the Master-seaman, Owner or Owners, of such Seans and Boats, are hereby authorized to deduct and detain out of the first Wages of every such Seaman:—For every Vessel belonging to the said Town of *Mevagiffey*, the yearly Sum of Sixpence *per* Ton, payable at *Christmas*, as an annual Composition for every such Vessel, so long as the Owner or Master thereof shall duly pay the same within ten Days after such Composition shall become due, otherwise such Vessel shall be subject to the Payment of such other Dues as are hereby laid on other Vessels navigating within the said Pier not belonging to the said Town of *Mevagiffey*:—For every Vessel not wholly belonging to the said Town of *Mevagiffey*, but one Half or a larger Part of such Vessel being the Property of an Inhabitant or Inhabitants of the said Town, the Sum of Sixpence *per* Ton on the first Entrance or coming in of such Vessel into the said Pier, Quay, Wharf, Beach, Strand, or any Part of the said Town of *Mevagiffey*, and afterwards to pay after such Rate, and in such Manner, as other Vessels belonging to the said Town:—For the Keelage of every other *British* Boat, upon each Entry into the said Pier, Quay, Wharf, Beach, or Strand, the Sum of one Shilling; and of every other *British* Sloop or Vessel of twenty Tons Burthen and upwards, the Sum of one Shilling and Sixpence; and of every other *British* Sloop or Vessel of thirty Tons Burthen, the Sum of two Shillings; and of every other *British* Sloop or Vessel upwards of thirty Tons Burthen, the Sum of three Shillings; and of every other *British* Sloop or Vessel of sixty Tons Burthen and upwards, the Sum of four Shillings and Sixpence; and of every other *British* Sloop or Vessel of one hundred Tons Burthen and upwards, the Sum of six Shillings; and of every other *British* Sloop or Vessel of two hundred Tons Burthen and upwards, the Sum of eight Shillings; and for the ballasting or discharging of Ballast out of every *British* Sloop or Vessel, the Sum of Sixpence *per* Ton; and which such ballasting or discharging of Ballast shall be performed at such Place or Places only as the Quay-master, appointed by virtue of this Act, shall from Time to Time direct; and for every Foreign Ship or Vessel not bound to the said Town of *Mevagiffey*, double the Rates and Duties herein-before last enumerated, laid, and directed to be taken; and for every Hogthead of Pilchards cured within the said Town, laid on Board any Ship, Boat, or Vessel, in the said Pier, Quay, Wharf, Beach, or Strand, any Sum not less than Threepence, and not exceeding Sixpence *per* Hogthead, at the Discretion of the Trustees appointed by this Act; and for every Hogthead of Pilchard Oil, commonly called *Train Oil*, and for every Hogthead of Dregs of Pilchard Oil, laid on Board any Ship, Boat, or Vessel, in the said Pier, Quay, Wharf, Beach, or Strand, the Sum of Sixpence *per* Hogthead; the same to be paid by the Master or Owner of any Vessel or Vessels taking the said Pilchards, Pilchard Oil, or Dregs, on Board:—For every Barrel of Tin, every large Mast forty Feet in Length and upwards, every Hogthead of Foreign Oil, Hogthead of Wine or *English* Spirits, Ton of Hemp, Pack of Wick-yarn, Hundred Weight of Cane, Stone, and Plaster, one Shilling, and so in Proportion for greater or lesser Quantities; and for every Hundred of Deal Boards under twenty Feet, and so in Proportion for any other Deal Boards, Ninepence; and for every Roll of Tobacco not exceeding twenty Pounds, every

Fardal

Fardal of Ware, hundred Weight of Brimstone, Bag of Nails, Firkin of Butter, hundred Weight of Lump or Loaf Sugar, Ton of Lime, Case or Crate of Glass, Frail of Figs or other Goods, Barrel, Box, or Bag of Starch, Allum, or Copperas, hundred Weight of Cheefe, Barrel of Vinegar, Wey of *British* Salt, hundred Weight of Wool or Cotton, Ton of empty Cask, Hoghead of Apples or Pears, Bag of small Nuts, every Dozen of Goats, Sheep, Kids, or any other Kind of Skins, Two-pence; and for every Block of Tin, Load of Oak, Deal Plank, or any Sort of Timber, every Sheep, every End of Hops, Hoghead of Cyder or Perry, thousand of Bricks, Maun of Hats or other Goods, Basket or Box of Glasses or Bottles, and every hundred Weight of Tobacco, Four-pence; and for every Ton of Copper or other Ore, Chest or Box of Candles or Soap, every Barrel of Herrings cured within the said Town, Dozen of small Sparrs, Bag of Flour, hundred Weight of Blue, hundred of any Kind of Horns, Gros of Bottles, hundred Weight of Gunpowder, hundred Weight of Feathers, hundred Weight of Dye Stuff, Dozen of Oars, or Crate of Earthen Ware, Three-pence; and for every hundred Weight of unrefined Sugar, hundred Weight of Molasses, Jug of any Oil, Turpentine, or Varnish, single Hides, Quarter of any Grain except Wheat, Ton of Lime Stones, hundred Weight of fine Copper, one hundred Weight of Tanners Rinds, or three *Winchester* Bushels of Bark, every Case of Liquor, Coil of Rope under one hundred Weight, Barrel of Pipe-clay, Chest or Box of Pipes, Cask of Molasses under ten Gallons, Side of Pork or Bacon, Quintal of dry Fish, Bag of Seeds, Pepper, Pimento, Ginger, Dozen of Lanterns, Ream of Writing Paper, Dozen Pounds of Flax, and every Pack of Charcoal, one Penny; and for every Hoghead of Train Oil imported, Hoghead of Ale or Beer, Ton of Oakum, one thousand of Oranges or Lemons, Bullock or Horse, Sixpence; and for every Ton of Iron, every Pocket of Hops, Ton of Rice, and Dicker of Leather, Eight-pence; and for every Ton of Tallow, and every Butt of Sack, one Shilling and Six-pence; and for every Box or Bag of Goods not exceeding twenty Pounds Weight, every Piece of Foreign Sail Cloth, Quarter of Wheat, Barrel of Pitch, Tar, or Rosin, thousand of Walnuts or Chestnuts, three Half-pence; and for every Hoghead of Foreign Spirits two Shillings; and for every thousand of Helling Stones, hundred Weight of Pig, Sheet, or Bar Lead, Ream of Brown or Whited-brown Paper, every Dozen of Stockings, and every Grinding Stone, a Half-penny; and for every Bundle of Hoops one Farthing; and for all other Goods and Merchandizes brought or carried Coastwise, not herein-before enumerated or included, One-eighth Part of the Freight of the said Goods and Merchandize; and for all Goods and Merchandize not particularly rated, that shall be brought from or carried to Foreign Parts, one Penny in the Pound of the Value of such Goods so imported or exported.

XX. And be it further enacted by the Authority aforesaid, That the Quay Master for the Time being shall and may, and is hereby authorized and impowered, to regulate and appoint the Birth or Laying-place of any Ship, Boat, or other Vessel; and when and as often as he shall judge necessary, to order and direct any Ship, Boat, or other Vessel, to be removed from the Birth or Laying-place at which they shall respectively happen to be stationed or moored to any other Birth or Laying-place, as he shall think proper, for the better Accommodation of Vessels coming into or going out of the said Pier: And in Case the Master, or other Person having or taking the Command and Charge of any such Ship, Boat, or other Vessel, shall neglect or refuse to remove such Ship, Boat, or other Vessel, to such other Birth or Laying-place as shall be appointed by the said Quay Master, such Person or Persons shall forfeit and pay any Sum not exceeding five Pounds; to be levied and recovered by Distress and Sale of his or their Goods and Chattels, rendering to him or them the Overplus, if any there be, and he or they shall demand the same: And for want of sufficient Distress, the Person or Persons so offending shall and may, upon Proof of the Offence before any one or more of his Majesty's Justices of the Peace for the said County, be committed to the Common Gaol of the said County, there to remain for the Space of two Months without Bail or Mainprize, unless the said Penalty, and all reasonable Costs and Charges attending such Distress and Sale, as well as their Commitment, shall be sooner paid and satisfied.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, or the said Quay Master for the Time being, to order and direct all such Boats and other Vessels as they shall think proper to be removed out of the said Pier during the Time of the Pilchard Fishery: And if any of the Owner or Owners of such Boats or other Vessels shall refuse to remove the same when thereunto required, he and they shall respectively forfeit and pay the Sum of forty Shillings for every such Offence; to be levied and recovered in such Manner as the other Penalties and Forfeitures inflicted by this Act are directed to be levied and recovered; and from and after the Time that the said Pilchard Fishery shall be finished, all the Boats and other Vessels employed therein shall be removed out of the said Pier.

XXII. And, to the Intent the said Rates and Duties may be truly answered and paid, be it further enacted, That no Collector, Customer, Collector of his Majesty's Customs, Comptroller, Receiver of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, belonging to the Port of *Fowey*, in the said County of *Cornwall*, within which the Creek or Harbour of *Mevagissy* is comprehended, shall, at any Time after the said twenty-fourth Day of *July*, one thousand seven hundred and seventy-five, give or make out any Cocket or other Discharge, or take any Report outwards, for any Ship, Bark, Boat, or other Vessel, or permit any Ship, Bark, Boat, or other Vessel, to go out of the said Pier, until the Master or Owner, or other Person or Persons having the Rule or Command of such Ship, Bark, Boat, or other Vessel, shall produce a Certificate from the Collector or Collectors, to be appointed in pursuance of this Act, that the Rates and Duties by this Act granted are paid, or secured to be paid; which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward: And that any Collector, Customer, Collector of his Majesty's Customs, Comptroller, Receivers of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, making Default in any of the Premises enjoined by this Act, shall forfeit and pay the Sum of twenty Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts

Quay Master to regulate the Laying-place of Vessels in the Pier.

§1. Penalty on Ship-Master's Refusal or Neglect.

Vessels may be removed out of the Pier during the Pilchard Fishery. 4s. Penalty on Owners for Refusal.

No Vessels to be cleared till the Duties be paid.

20l Penalty on Collectors, &c. making Default.

of Record at *Westminster*, wherein no *Essoin*, Protection, or *Wager of Law*, shall be allowed, nor more than one *Impar lance*; one *Moiety* of such Forfeiture to be to the Use of the Person or Persons who shall prosecute, sue for, and recover the same, and the other *Moiety* thereof to be paid into the Hands of the said Trustees, or to such Person or Persons as they, or any five or more of them, shall direct, to be applied for the Purposes of this Act.

King's Vessels
exempted from
Duty.

XXIII. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to charge any of the Ships or Vessels of War belonging to his present Majesty, his Heirs or Successors, with any the Duties granted by this Act, any Thing in this Act contained to the contrary thereof in any-wise notwithstanding.

How Rates may
be recovered
from Persons re-
fusing to pay.

XXIV. And, to the Intent the said Rates and Duties imposed by this Act may be more effectually collected and levied, be it further enacted, That in case any Owner or Master, or other Person having the Rule or Command of any Ship, Bark, Boat, or other Vessel, Goods, Wares, or Merchandises, charged or chargeable with the Rates and Duties granted by this Act, shall refuse to pay the same; then, and in such Case, it shall and may be lawful for the said Trustees, and their Successors, or such Person or Persons as they, or any five or more of them, shall appoint to be their Collector or Collectors as aforesaid, or any or either of them from Time to Time, to go on Board such Ship, Bark, Boat, or other Vessel, to demand, collect, and receive the same, and for Non-payment thereof to take and distrain every such Ship, Bark, Boat, or other Vessel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, or all or any Part of the Goods, Wares, and Merchandise, chargeable with the said Rates and Duties, or in respect whereof such Rates and Duties shall be payable as aforesaid, either on Board such Ship, Bark, Boat, or other Vessel, or on Land, and the same to detain, until he or they be satisfied and paid the respective Rates and Duties; and in case of any Neglect or Delay in Payment of the said Rates and Duties for the Space of three Days after any Distress or Distresses so taken as aforesaid, that then it shall and may be lawful to and for the said Trustees, and their Successors, and such Person or Persons as they shall appoint as aforesaid, their Collector or Collectors, Receiver or Receivers, to cause the same to be appraised by two or more sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and therewith to satisfy him or themselves, as well for and concerning the respective Rates and Duties so neglected or delayed to be paid, and for which such Distress or Distresses shall be so taken as aforesaid, as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master, or other Person having the Rule and Command of the Ship, Bark, Boat, or Vessel, in, to, or from which such Distress shall be so taken or belong, the Overplus, if any there shall be.

Persons eluding
Payment to con-
tinue chargeable.

XXV. And be it further enacted, That if any Master, Commander, or Owner, of any Ship, Bark, Boat, or other Vessel, shall at any Time, after the Rates and Duties by this Act charged shall become payable, elude or avoid the Payment thereof by any Method whatsoever, such Master, Commander, or Owner, of such Ship, Bark, Boat, or other Vessel, shall stand charged with and be liable to the Payment of the same; and the same shall be recovered from such Master or Owner by the same Method by which Fines and Penalties imposed by this Act are herein-after directed to be levied and recovered.

If Differences
happen about
Tonnage of
Ships, Collec-
tors may ad-
measure them.

XXVI. And, to the Intent that the Duties by this Act directed to be ascertained by the Tonnage of any Ship, Bark, or other Vessel, may be truly ascertained and paid, be it further enacted, That in case the Collector or Collectors of the said Duties, or such other Person or Persons as the said Trustees, or any two or more of them, shall nominate and appoint for that Purpose, and the Master or other Person having the Charge or Command of any Ship or Vessel charged with the said Duty, cannot otherwise agree about and adjust the Tonnage of any such Ship, Bark, or other Vessel; that then, and so often, it shall and may be lawful for the said Collector or Collectors, or such other Person or Persons as aforesaid, from Time to Time, and at all Times convenient and seasonable, to enter into such Ship, Bark, or other Vessel, and to admeasure the same according to the Directions of this Act; and if any Commander or other Officer of any Ship, Bark, or other Vessel, or any other Person whatsoever, shall obstruct or hinder any Person or Persons employed by the said Trustees to admeasure any Ship, Bark, or other Vessel, in pursuance of this Act, in order to ascertain the Duty of Tonnage hereby charged, such Commander or other Person shall, for every such Offence, forfeit the Sum of five Pounds; to be levied, recovered, and disposed of, in Manner herein-after mentioned.

Commanders ob-
structing Col-
lectors, to forfeit
5*l*.

In what Man-
ner Ships, &c.
are to be admea-
sured.

XXVII. And be it further enacted and declared, That all Ships, Barks, and other Vessels liable to and charged with the Payment of the Duty of Tonnage by this Act imposed, shall, if necessary, for ascertaining the same, be measured in Manner following (that is to say), by taking the Length of the Keel of every such Ship, Bark, or other Vessel, so much as she treads on the Ground, and the Breadth within Board by the Midship-beam, from Plank to Plank, and Half that Breadth shall be accounted for the Depth of every Ship, Bark, or other Vessel, and then the Length so taken being multiplied by the Breadth so taken, and the Product thereof by the said accounted Depth, and the Whole divided by ninety-four, the Quotient shall give and be deemed the true Contents of the Tonnage, according to which Method and Rule all Ships, Barks, and other Vessels, shall be measured, and the said Duty of Tonnage thereby be computed and collected accordingly; any Custom, Practice, or Usage, to the contrary notwithstanding.

Quay Master,
&c. to make
Oath as to the
Performance of
his Duty, if re-
quired.

XXVIII. And be it further enacted by the Authority aforesaid, That the Quay Master, and other Officers and Servants to be appointed by virtue of this Act, shall, when thereunto required by any one of the said Trustees, swear, or being one of the People called *Quakers*, solemnly affirm, that he or they will duly perform and execute his or their respective Office or Offices; and all and every Person or Persons who shall be employed to take the Tonnage of any Ship or other Vessel that shall come into the said Pier, shall, when required, in like Manner swear, or solemnly affirm, that he or they will duly take the Tonnage of every such Ship or Vessel; and which Oath or Affirmation any one or more of the said Trustees are hereby authorized to administer.

XXXIX. And,

XXIX. And, to the End a sufficient Sum of Money may speedily be raised for the Purposes aforesaid, and for the better securing the Repayment of the same, be it further enacted, That it shall and may be lawful for the said Trustees, or any five or more of them, and they are hereby impowered, subject and without Prejudice to the said annual Sum of ten Pounds, by Indenture or Writing under their Hands and Seals, to convey, assign, and assure the Rates and Duties granted by this Act, or any Part thereof, as a Security for any Sum or Sums of Money by them to be borrowed, not exceeding the Sum of three thousand Pounds, for the Ends and Purposes aforesaid, to any Person or Persons, Natives or Foreigners, or Bodies Politick or Corporate, that shall or will lend or advance the same, for securing the Payment thereof, with Interest (after the Rate of five Pounds *per Centum per Annum*); which said Sum shall be paid into the Hands of the Trustees, or of the Treasurer or Treasurers by them appointed.

Trustees may borrow Money not exceeding 3000 l. and assign the Rates as a Security.

XXX. And be it further enacted, That all and every Person and Persons, to whom any such Assignment or Assignments of the aforesaid Rates and Duties shall be made by the said Trustees, or any five or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the said Rates and Duties, and his, her, or their Assignee or Assignees, may, and are hereby impowered, from Time to Time, to transfer or assign over such Security or Securities, and all the Monies that shall be due thereon, to any other Person or Persons.

Assignments may be transferred.

XXXI. And be it further enacted, That all and every Sum and Sums of Money already advanced, and which shall be advanced by way of Loan, as aforesaid, and the Interest payable for the same, shall be paid and payable from Time to Time out of the Monies arising by the said Rates and Duties hereby granted, in the Priority and Manner herein-after mentioned.

Sums advanced, and Interest, chargeable on the Tolls and Duties.

XXXII. And be it further enacted, That a Memorandum or Entry of all such Assignments or Securities as shall be made for Money already or hereafter to be advanced by way of Loan, at Interest as aforesaid, shall be made in a Book, which is hereby required to be kept by such Person or Persons as the said Trustees, or any five or more of them, shall appoint for that Purpose, at the Charge of the said Trustees, in such Place or Places as the said Trustees, or any five or more of them, shall appoint; which Entry or Memorandum shall be made *gratis*.

Entries of Assignments to be made.

XXXIII. Provided always, and it is hereby further enacted, That in case the Interest of any Sum or Sums of Money already advanced, or to be advanced, by way of Loan as aforesaid, shall be in Arrear and unpaid for the Space of forty Days next after any of the Time or Times when the same is, are, or shall be made and become payable by Force and Virtue of this Act, the said Rates and Duties shall from thenceforth vest in the Person or Persons to whom such Interest shall be so in Arrear as aforesaid, until the same shall be fully paid and satisfied, together with all Costs and Charges occasioned by the Non-payment of the same; and all and every such Person and Persons shall have the same Power, Right, and Privilege of collecting, receiving, and levying the said Rates and Duties, payable by virtue of this Act, as the said Trustees, or the Collectors or Receivers appointed by them, could have had in case the said Interest had been regularly and fully paid and satisfied.

How Arrears of Interest may be recovered.

XXXIV. And be it further enacted by the Authority aforesaid, That after paying and keeping down the said annual Sum of ten Pounds, herein-before provided for, the Money necessary to complete the said Quay, Wharf, and other Works hereby authorized to be made, together with Interest for the same, after the Rate of five Pounds *per Centum per Annum*, shall, in the first Place, be paid off and discharged; and, in the second Place, the Money already subscribed and paid shall be discharged by Dividends from Time to Time, with Interest, as the Rates and Duties aforesaid shall accrue and be paid: Provided, that in case any Accident shall happen to the said Quay and Pier, the Money already subscribed and paid, or such Part thereof as shall then remain undischarged, shall so remain, and the Repayment thereof suspended until such Damages shall be repaired, and the Charges and Expences attending such Repair shall be fully paid and satisfied.

How Money raised is to be paid off.

Provide.

XXXV. And be it further enacted, That when and so soon as the several Sums of Money already and hereafter to be advanced, with Interest, shall, in Manner aforesaid, be discharged and satisfied, and the capital Sum of one thousand Pounds shall have been raised, saved, and placed out in some of the publick Funds, under the Direction and by the Authority of the said Trustees, which they are hereby authorized to do, and, from Time to Time, to apply the Interest and Proceed thereof for keeping down the Payment of the said annual Sum of ten Pounds, and to maintain, support, and repair the said Pier and Wharf; that then, and from thenceforth, the Rates and Duties payable in respect of *British* Vessels and Merchandise shall cease and determine: Provided, that in case any extraordinary Accident shall happen to the said Pier and Wharf, by which the said capital Sum of one thousand Pounds shall be reduced, or the Interest thereof, and the other Rates and Duties hereby imposed shall not be sufficient to pay the said annual Sum of ten Pounds, and defray the Expence of the Repair of such Accident, then the Rates and Duties for and in respect of *British* Vessels and Merchandises shall be revived, and be collected in such and the same Manner and Proportions as are herein-before directed, so as that such Rates and Duties shall not exceed the Rates and Duties herein-before granted, and shall be applied towards the repairing the said Pier and Wharf, and in the replacing the said Sum of one thousand Pounds, or such Part thereof, as shall have been expended for the Support of the said Pier and Wharf.

After Money borrowed shall be repaid, and 1000 l. placed out at Interest, the Rates on *British* Ships shall cease.

If any Accident happen, Rates may be revived.

XXXVI. And, that the said perpetual Fund of one thousand Pounds may be at all Times kept up and maintained for the Purposes aforesaid, notwithstanding the Monies advanced, or to be advanced, as aforesaid, shall be all fully paid and satisfied, be it enacted, That the Rates and Duties hereby laid upon any foreign Ships or Vessels shall continue to be collected and levied, and applied from Time to Time, as the same shall arise, in aid of the said Fund of one thousand Pounds herein-before directed to be raised, established, and invested in the publick Funds for the Purposes aforesaid.

Rates on Foreign Ships to be continued, for maintaining the Fund of 1000 l.

XXXVII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall, and they are hereby impowered to give Securities to any Person or Persons

Trustees to give Security for Money already advanced.

Proviso,

sons for paying the Money already subscribed towards the erecting and completing the said Pier; to be paid by Dividends, with Interest, in the Manner before mentioned: Provided, that such Money shall not be paid until the Money to be borrowed by virtue of this Act, together with Interest for the same, after the Rate aforesaid, shall be paid off and discharged; and such Payment is to be subject to the other Contingency herein-before mentioned.

No Money to be borrowed after the first Meeting, unless ten Days Notice be given.

XXXVIII. Provided always, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Trustees, after the first Meeting, unless Notice in Writing, under the Hands of the said Trustees, or any five or more of them, be, by Order of such Trustees, or any five or more of them, fixed in the Market-place of *Mevagissy*, at least ten Days before the borrowing of such Money.

Application of the Money to be borrowed,

XXXIX. And be it further enacted, That the Monies which shall be collected, received, levied, and borrowed, by virtue of this Act, shall be applied, in the first Place, in defraying the Expences incident to and incurred in the obtaining of this Act, and afterwards in defraying the necessary Expences of completing and maintaining such Pier, and other Works as aforesaid, and in executing the Purposes of this Act, and to no other Use or Purpose whatsoever.

Trustees may appoint Collectors and other Officers,

XL. And be it further enacted, That the said Trustees, at their first Meeting, or any five or more of them then present, or at any succeeding Meeting, by Writing under their Hands and Seals, shall and may choose and appoint such Person or Persons to be Collector or Collectors of the said Duties granted by this Act as they shall think fit; and also one or more fit Person or Persons to be Surveyor or Surveyors of the said Pier, and other Works, proposed to be erected, for rendering the same commodious and useful for the Reception of Ships and Vessels; and also a Treasurer or General Receiver of the said Duties, and such other Officer and Officers as they shall think necessary to employ in the Execution of this Act; and such Person or Persons as is or are made liable to pay the said Rates and Duties shall pay the same, after the Rates aforesaid, to such Person or Persons as shall from Time to Time be appointed to collect the said Rates and Duties; and the said Trustees shall allow to such Collector or Collectors, Receiver or Receivers, Treasurer or Treasurers, Surveyor or Surveyors, or other Person or Persons so by them appointed, such Salaries or Rewards, as to the said Trustees, or any five or more of them, at a General Meeting assembled, shall appear reasonable; and the said Trustees, or any five or more of them, shall have Power to remove or displace any such Collector, Receiver, Treasurer, Surveyor, or other Person or Persons whatsoever by them appointed in pursuance of this Act, and in the Room and Stead of the Person or Persons so displaced to nominate and appoint from Time to Time such other Person or Persons as they shall think proper.

and allow them Salaries;

and may displace such Officers, and appoint others.

Officers to give Security.

XLI. And be it further enacted, That the said Trustees, or any five or more of them, shall, whenever it shall seem to them expedient, take of such Collector or Collectors, Receiver or Receivers, Treasurer or Treasurers, and from such other Person or Persons so to be chosen and nominated from Time to Time as aforesaid, a good and sufficient Security, as well for answering and paying all and every Sum and Sums of Money which shall be by him or them respectively received, in such Manner as the said Trustees, or any five or more of them, shall, under their Hands and Seals, from Time to Time, order, direct, and appoint, and not otherwise, and also for his and their giving and making respectively thereof true Accounts in Writing, from Time to Time, when and so often as he or they respectively shall be ordered and required by the said Trustees, or any five or more of them, so to do, of all Monies by him or them respectively received by virtue of this Act, and of all the respective Times of such Receipts, and of all such Monies by him or them respectively disbursed, and the respective Times of such Disbursements, and to whom, and by what Order.

All Contracts with Artificers and Workmen to be entered in a Book.

XLII. And be it further enacted, That the said Trustees shall take care to have all the Receipts, Payments, Debts, Credits, and Contracts made with and by the Artificers and Workmen, employed or to be employed, in or about the completing the said Pier, and the maintaining and preserving the same, or any way relating thereto, and also an Account of all Monies received and borrowed by the said Trustees by virtue of this Act, and all other their Proceedings whatsoever, fairly entered and written in one or more Book or Books, to be kept for that Purpose; to which Book or Books all Persons concerned and interested shall at any seasonable Times have free Access, and shall have the Perusal and Inspection thereof gratis, or Copies or Extracts thereof, paying after the Rate of Two-pence for every one hundred Words; and by or out of the Money arising from the Rates and Duties by this Act granted, or by or out of any other Sum or Sums of Money which shall come into the Hands of the said Trustees, or into the Hands of the Receiver or Receivers to be by them appointed, shall pay and satisfy, or cause to be paid and satisfied, unto the Artificers and Workmen, to be employed in and about the completing or maintaining the said Pier and Premises, all Sums of Money which shall be justly due to them, or any of them, for the same: And when the said Pier shall be completed and finished, and all other necessary Works shall be done, for the commodious receiving and securing Ships and Vessels therein, then, every Year, at the General Quarter Sessions of the Peace, to be holden for the said County of *Cornwall* next after the Feast of *All Saints*, the said Book or Books, to be kept by the said Trustees, or the Person or Persons whom they, or any five or more of them, shall appoint as aforesaid, shall be produced and shewn to the Justices of the Peace, at such Quarter Session, together with proper Vouchers for the Expences and Disbursements, and the Expences and Charges of passing this Act; which said Justices shall state and balance the said Account; and when it shall appear to such Justices, and be certified by them then present, or the major Part of them, that the said Trustees are by the said Duties fully reimbursed the principal Monies by them borrowed and laid out for the Purposes aforesaid, together with all Interest and Charges attending the same, and that a sufficient Sum of Money shall be raised for the future Support of the said Pier, and for keeping the same in Repair, then, all and singular the said respective Duties hereby granted, shall, in respect of all *British* Ships, Sloops, Boats, or Vessels, Goods, Wares, and Merchandise, cease and determine; and the Rates and

Persons concerned may have free Access to such Books, &c.

After the Works are completed, the Books to be laid annually before the Justices, at the Quarter Sessions, &c.

After Trustees are reimbursed the Money borrowed, &c. the Duties in respect of *British* Ships, to cease, &c.

Duties

Duties hereby granted in respect of Foreign Ships and Vessels, shall only then continue, and be collected and paid as aforesaid, for keeping the said Pier and other Works in good and sufficient Repair.

XLIII. Provided always, That no Warrant, Mortgage, Assignment, Transfer, or any other Writing whatsoever, in pursuance of or relating to the Execution of any of the Powers of this Act, shall be subject to any Stamp-duty whatsoever.

XLIV. And be it further enacted, That no Person acting as a Trustee for putting in Execution this Act, or any of the Trusts or Powers aforesaid relating to the said Pier of *Mevagissey*, shall be capable of having any Office or Place of Profit, arising or to arise by any of the Duties aforesaid, during the Time of his holding such Office or Place of Profit: And the said Trustees shall at all such Meetings defray their own Charges and Expences, and shall give such publick Notice of all their Meetings as shall from Time to Time be agreed upon by them, or any five or more of them.

Writings not to be liable to Stamp-duty.

No Trustee capable of holding any Place of Profit.

Trustees to defray their own Expences.

Penalties and Forfeitures how to be recovered and applied.

XLV. And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act incurred, or authorized to be imposed or levied (the Manner of levying and recovering whereof is not otherwise hereby particularly directed), shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant of Warrants under the Hands and Seals of any two or more Justices of the Peace for the said County of *Cornwall*, or for the Place or Places where such Offence shall be committed (which Warrant or Warrants the said Justices are hereby empowered and required to grant upon the Information of any one or more credible Witnesses or Witnesses upon Oath, which Oath the said Justices are hereby empowered and required to administer, without Fee or Reward); and such Fines, Penalties, and Forfeitures, when recovered (after rendering the Overplus, if any, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted), shall go and be applied, and laid out, if not otherwise directed to be applied and disposed of by this Act, for and towards the Execution of the Purposes of this Act; and for Want of sufficient Distress, the said Justices, or any two or more of them, are hereby empowered and required to commit the Person or Persons so convicted to the common Gaol of the said County or Place where such Offence shall be committed, there to remain for the Space of two Months, or until Payment of the respective Forfeiture shall be made.

XLVI. And be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgment of any Justice or Justices of the Peace, upon account of any Offence or Offences committed, or supposed to be committed, against this Act, may appeal to the Justices of the Peace for the County of *Cornwall*, at any General or Quarter Session of the Peace to be held within the Space of six Calendar Months after such Cause of Appeal shall happen, the Person or Persons so appealing first giving Security to the Satisfaction of the said Justice or Justices to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said General or Quarter Session, in case such Orders or Judgments shall be affirmed; and the Justices at such General or Quarter Session are hereby authorized and required to hear and determine such Appeal, and to make such Order therein, and to award such Costs, as to them shall appear just, which Order shall be final and conclusive to all Parties; and shall not be removed or removable by any Writ of *Certiorari*, or otherwise, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere, and that no Order or Proceeding to be had or made by or before any Justice or Justices of the Peace relating to the Execution of this Act shall be quashed or vacated for want of Form only.

Persons aggrieved may appeal to the Quarter Sessions.

XLVII. Provided always, and be it further enacted, That no Part of the Goods and Chattels, to be at any Time distrained by virtue of this Act (other than such Distress or Distresses as shall be made for Non-payment of the Rates and Duties by this Act granted), shall be sold till the Expiration of five Days from the Day upon which such Goods and Chattels shall be distrained; and that it shall and may be lawful to and for the Person or Persons convicted, at any Time before the Expiration of the said five Days, to redeem such Goods and Chattels, by Payment of the Money for which the same shall have been so distrained, together with the Costs and Charges of making such Distress.

Distress not to be sold till after five Days.

XLVIII. And be it further enacted, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act in relation to the Premises, that in every such Case, such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid or brought in the County or Place where the Cause of Action shall arise, and not elsewhere, and the Defendant or Defendants in every such Action or Suit so to be brought shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to have been so done, or that such Action or Actions shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place, that then the Jury shall find a Verdict 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, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Limitation of Actions.

General Issue

Treble Costs;

XLIX. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Publick Act

C A P. LXIII.

An Act for repairing the Highways and Bridges in the Shire of *Argyll*.

Preamble.

WHEREAS the Powers granted by Law in *Scotland*, relative to Highways and Bridges, and the Services, and Work, and Money, which are thereby authorized to be exacted and levied, have been found by Experience insufficient to amend, and keep in Repair, the Roads and Bridges within the Shire of *Argyll*, and other and farther Powers are necessary in order effectually to carry the Intention of the said Laws into Execution: For Remedy whereof, may it please your Majesty, that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the more easy and effectual Execution of the Powers hereby granted, the said Shire shall be divided into seven Districts; *videlicet*, *Argyll*, *Cowal*, *Kintyre*, *Lorne*, *Mull*, *Ardnamurchan*, and *Ilay*; and that the first of the said Districts, called *Argyll*, shall extend from the Water of *Fine* to the March between the Lands of *Inverneil* and *Stronechulline*, by *Locharel*, and the March betwixt *Achachoisb* and *Barenlongart*, to *Lochcaolisport*, from thence to the Kirk of *Kilmelford*, and by the Water of *Avick* to *Lochow*, from thence along the South Side of the said Loch to the Water of *Tettle*, and from thence in a straight Line to the Head of *Glenfine*, excepting always the Parish of *North Knapdale*, which is to be annexed to the District of *Ilay*; that the second District, called *Cowal*, shall comprehend all the Lands from the South Side of *Cowal* to the Water of *Fine* on the North, and the Water of *Long* on the South-east; that the third District, called *Kintyre*, shall comprehend the whole Lands from the South End of *Kintyre* to the Marches of *Inverneil* and *Achachoisb* above mentioned, including the Islands of *Gigha*, *Carra*, and *Sanna*; that the fourth District, called *Lorne*, shall comprehend the Country from *Kilmelford* to *Lochow*, by *Lochavich*; and the Water of *Avick*, from thence by *Lochow* to the Water of *Tettle*, including the Country of *Glenorchy*, and from the Head of *Glenorchy* to the Head of *Lochleven*; and from thence to *Einehallich*, by the Sound of *Corryvreckan*, to *Lochmelford*; that the fifth District, called *Mull*, shall comprehend the Islands of *Mull*, *Tirie*, *Coll*, *Islandamuck*, *Roum*, and *Ganna*; that the sixth District, called *Ardnamurchan*, shall comprehend *Ardnamurchan* and *Suinart*, *Moruern*, *Kingerloch*, and Parish of *Killmaltzie*; and that the seventh District, called *Ilay*, shall comprehend the Islands of *Ilay*, *Jura*, *Colonsay*, and *Oronsay*, and the Parish of *North Knapdale*.

Qualification of Commissioners.

II. And be it enacted by the Authority aforesaid, That the Commissioners of Supply and Justices of the Peace of the said Shire of *Argyll*, and the Provost or other Chief Magistrate of the Burghs of *Inverary* and *Campbeltown*, shall be Trustees for making and repairing the Highways, Roads, and Bridges, within the said Shire, and for executing all other Powers by this Act given and granted.

Time and Place of Commissioners Meeting, &c.

III. And be it enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall, in order to carry this present Act into Execution, meet at *Inverary*, upon the twenty-fourth Day of *May*, one thousand seven hundred and seventy-five, and thereafter yearly upon the same Day, and at the like Place, that the Commissioners of Supply for the said Shire of *Argyll* shall be directed by the Land-tax Act of the Year then current to assemble, for the Purposes of assessing the Land Tax, and of choosing a Convener, Collector, and Clerk; and that the said Trustees, so assembled at the aforesaid General Meeting, shall have Power, and are hereby impowered to adjourn to the next or any after lawful Day, if they shall see Cause so to do, and to name a Preses or Chairman of their Meeting, and a Clerk during Pleasure, who shall attend the Meetings of the said Trustees, and shall enter their whole Proceedings regularly in a Book to be kept for that Purpose; and likewise shall, as often as required by any Person or Persons having an Interest in the same, make and give out Copies or Extracts of the Orders or Proceedings of the Trustees (at such certain moderate Fee for the same as shall be fixed by the said Trustees in a General Meeting assembled); and that such Copies or Extracts shall contain the Warrant for putting these Orders into Execution; and that the said Trustees, in their first General Meeting, or adjourned Meeting aforesaid, and in all their subsequent annual General Meetings, or adjourned Meetings, assembled, shall have Power, and they are hereby impowered and required to nominate and appoint early and convenient Times and Places for the first Meeting, in each Year, of the Trustees within the respective Districts before mentioned; and that the Trustees at such District Meetings assembled, shall have Power afterwards to adjourn as they shall see Cause.

Powers of Trustees at District Meetings.

IV. And be it enacted by the Authority aforesaid, That the Trustees of the said different Districts shall (under the Restrictions after mentioned) superintend and have the Direction and Cognizance of the several Roads and Bridges within their respective Districts, and shall have Power to appoint the Order in which the same shall be made or repaired, and to appropriate the Services and Monies to be exacted and raised by virtue of this Act for the Purposes thereby intended; and that the said Trustees, in such District Meetings assembled, shall be and are hereby impowered to appoint a Preses or Convener, and, if necessary, a Depute Clerk, for each District, and to adjourn from Time to Time; and that the Preses or Convener of such respective District Meetings shall have Power, and he is hereby impowered and required, to call Meetings of the Trustees for the said District as often as he shall be required so to do by any three Trustees within such District (upon ten Days previous Notice to be given at the Church Doors within the District); and that all Questions arising among the said Trustees, in such District Meetings as aforesaid assembled, shall be carried and determined by a Majority, consisting of Trustees possessed at least of three-fourths of the valued Rent belonging to the Members of such respective Meetings, and not according to the Number of Votes; and when any Question or Matter shall not be so determined at a District Meeting, that then such Question or Matter shall stand referred, and the same is hereby declared to be referred, to the Determination of the next General Meeting of the said Shire; and that it shall be lawful for any one Trustee to act at the aforesaid District Meetings, in case the other Trustees do not attend.

Questions not determined at District Meetings to be deferred till next Meeting.

V. Provided

V. Provided nevertheless, and be it further enacted by the Authority aforesaid, That it shall be lawful for, and in the Power of, any absent Trustee to act and vote by a Proxy, general or special, to be by him given to any other Trustee attending and voting in Person at the said District Meetings respectively; but that it shall not be in the Power of any Trustee to use more than one Proxy at one Time; and that all Meetings under the Authority of this Act shall begin to be held at Mid-day, and not earlier; and that each Member shall defray his own Expence; but without disabling or restraining the said Trustees from making and giving a reasonable Allowance to Collectors, Clerks, and Overseers for their Trouble.

Trustees may vote by Proxy at District Meetings, &c.

VI. And be it also enacted by the Authority aforesaid, That the said Trustees, in District Meetings assembled, shall have Power, and are hereby impowered, to appoint Overseers within their respective Districts; and that the said Overseers may, by the Justices of the Peace of the Bounds, be made Constables, for the special Purpose of acting as Constables in the Business of the Highways and Roads, and for that Purpose only.

Trustees may appoint Overseers.

VII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall take such Security from their Treasurer or Treasurers, as to them, or any five or more of them, shall seem proper.

Treasurer to give Security.

VIII. And be it further enacted by the Authority aforesaid, That of the six Days Statute-work, now exigible by Law from Tenants, Subtenants, and Heritors in the natural Possession of their own Grounds, and their Men Servants, within the said Shire of Argyll, four Days Work shall be exchanged or commuted; and in Place thereof, there shall be levied, yearly, a Sum not exceeding one Shilling Sterling on each Pound Sterling of valued Rent within the said Shire; which Sum of one Shilling in the Pound of valued Rent shall be levied by the Collector of the Land Tax, along with the Cals of the Shire, or by such other Collector or Collectors, and at such other Times, as the said Trustees, at their first General Meeting each Year, shall appoint, or by such Person or Persons to whom the same shall be assigned or transferred in Manner as herein-after mentioned; and that where Lands are liferented, the said one Shilling in the Pound shall be paid by the Liferenter or Liferenters respectively.

Four Days Work of Tenants to be commuted; and in Place thereof, 1 s. in the Pound Sterling of valued Rent to be levied.

IX. Provided nevertheless, That where Lands are at present under Lease, the Tenant or Subtenant in the Occupation of such Lands shall relieve the Heritor and Liferenter of two-thirds of the said one Shilling in the Pound during the Currency of the Lease, unless in such Cases where it has been otherwise specially provided for by Leases made since the nineteenth Day of October, one thousand seven hundred and seventy-four; in which last-mentioned Case, the Leases shall be, and are hereby declared to be, the Rule for the bearing, paying, and levying of the said one Shilling in the Pound.

Clause of Relief between Master and Tenant.

X. And be it also enacted, That the said Collector or Collectors shall keep a distinct and separate Account of the Money levied in each District, and shall not allow any Heritor to run in Arrear, but shall punctually execute the Orders given by the General Meeting of Trustees with respect to levying the said additional Duty of one Shilling in the Pound, under the Penalty of being made personally liable and answerable for the Deficiency, in case he or they shall fail to do Diligence for Recovery thereof, in Manner as herein-after directed respecting the same.

Separate Account to be kept for each District, and no Arrears to be allowed.

XI. And be it further enacted by the Authority aforesaid, That each Tenant or Subtenant in Possession shall be liable in two Days Service of himself, and Men Servants, yearly, or (in the Option of the Surveyor and any two of the Trustees of the District), in the Value of the said two Days Service in Money, according to the usual Rate or Price of Labour in each District (which shall be fixed each Year by the General Meeting of Trustees); and that all Cottagers, Householders, Labourers, Tradesmen, Miners, Colliers, Salters, Quarriers, Workmen at Furnaces, and all and every other Person or Persons by the Laws now in being liable to the Statute-work on the Highways within the said Shire (other than and except Tenants and Subtenants in Possession, and Heritors in the natural Possession of their own Lands, as after mentioned, and their Men Servants), shall perform the Statutework, conform to Law, on the said Highways and Bridges, by themselves, or other able-bodied Men to be employed by them, for six full Days in the Year, at any Time when they shall be required to attend by the Overseer (Seed and Harvest-Time excepted) or, in the Option of the Surveyor and any two of the Trustees, shall pay at the Rate of two Shillings each Person for the six Days; and that the said Statute-work, or Conversions of the same into Money, exigible either from Tenants or from the other Person or Persons before mentioned, shall only be laid out and employed in the making, maintaining, and repairing Roads and Bridges lying in the Parish within which the Person or Persons liable therein do reside; and that it shall be lawful to the said Surveyors (with Consent of any two Trustees within the said Parish), to free or exempt from any Part of the said Work, or Payment of the Conversion thereof, all such Persons as shall appear to them to be in indigent Circumstances, or unable to perform the same.

Tenants to perform two Days Work;

and Cottagers, &c. six Days; or pay 2 s. for each Person.

How Money in exchange for Work is to be applied.

Indigent Persons may be exempted.

XII. And be it enacted by the Authority aforesaid, That every Person liable in such Statute-work as aforesaid, who shall neglect to perform the same, or to make Payment of the converted Prices thereof, when required (within ten Days after such Requisition made to them, either personally, or at their Dwelling-houses, or by Advertisements at the Parish Churches on a Sunday), shall be liable in Manner following, videlicet, Each Tenant or Subtenant in Possession, in six Days Service of himself and Servants, to be converted at the ordinary Price of Labour for the Time, and each Cottager or other Person above-mentioned in twelve Days Service to be converted at the ordinary Price of Labour; and that in case any Heritor or Liferenter shall neglect or refuse to make Payment of the one Shilling in the Pound of valued Rent, to be levied from him or her, he or she shall be liable in two Shillings in the Pound of valued Rent for that Year in which he or she shall be so deficient; and that the whole of these Conversions in Money shall be levied by virtue of a Warrant under the Hand of any two or more Justices of the Peace or Commissioners of Supply of the said Shire, proceeding upon Certificates under the Hands of the Collector or Overseer, that such Person has not paid, or has been absent; and that such Warrant shall contain Authority for arresting the said Person's Effects, and for pointing and distraining the same; and that the Offices

Penalty for Neglect of Statute-Work.

to whom the same shall be directed shall summarily seize and distrain the readiest Goods or Effects of the said Person, and shall, at the End of three Days after such Distress, sell the same by Publick Roup or Auction to the highest Offerer, at the next convenient Place to the Ground of the Lands upon which such Distress was made, for Payment of the Sum for which such Person or Persons shall be respectively liable in and of the necessary Charges, rendering the Overplus to the Owner; and that no Suspension, Appeal, Complaint, or Action, shall stop the Performance of the Statute Services, or Payment of the converted Prices thereof, or Duty of one Shilling in the Pound of valued Rent for that Year in which they shall have been appropriated; saving always, nevertheless, to the Parties, their Redress either from the Persons by whom they shall have been aggrieved, or out of their several Duties, Services, and Conversions, for the Year next after the Determination of the Cause.

No Appeal, &c.
to stop Labour.

Trustees Powers
in case of Non-
application of
the Money or
Service.

XIII. Provided always, That if it shall appear that the Statute-work, or Conversions thereof, or any Part of the same, in any Parish, have not been applied, the Trustees, at their next General Meeting, shall have Power, and are hereby impowered, to order the unapplied Statute-work, or Money of such deficient Parish, to be applied in any of the adjoining Parishes; and in case the four-fifth Parts after mentioned of the one Shilling in the Pound, to be levied in each District, shall be neglected for any Year to be levied and applied within any District, that the same, or such Part thereof as has not been collected and applied, shall be given by the next General Meeting of the Trustees to any publick Road of the County without the said District.

What Share of
one Shilling in
Pound is to be
applied within
the District
where levied.

XIV. And be it enacted by the Authority aforesaid, That a Share not less than four-fifths of the Amount of the said one Shilling in the Pound of valued Rent shall be applied within the District from which the same shall be levied, and that the remaining one-fifth shall be disposed of in the following Manner, *videlicet*, One Half thereof shall be annually paid over to the Trustees within the District of *Kintyre*, to be by them applied in making and keeping in Repair the Road leading from the Bridge of *Tayindreunan*, through *Sleighbgail*, to *Ahines*, and the remaining one Half of the said one-fifth shall be at the Disposal of the Trustees in General Meetings assembled, to be applied within the District, or otherwise, as they shall find to be most for the Interest of the said Shire, the great Lines of Road being always to be preferred.

Great Roads
always to have
the Preference.

XV. Provided nevertheless, That in appropriating the four-fifth Parts of the one Shilling in the Pound hereby imposed, appointed to be levied, the Trustees shall always prefer the following chief or great Lines of Road in the several Districts; *videlicet*, In the District of *Kintyre*, the Post Road from *Inverary* to *Campbeltown*, by the West Side of *Kintyre*; in the District of *Cowal*, the Road leading from the Point of *Ardlamont*, by the Side of *Lochfine*, to the Military Road of *Ardrinlass*, and from the Ferry of *Ottar* to the Ferry of *Dunoon* equally; in the District of *Lorne*, the Road leading from *Kilmelford*, by *Oban Beunaru* and the Ferry of *Sbiam*, to the Ferry of *Ballechelish*, subject to such Variations as shall be thought proper by the first General Meeting of Trustees, in so far as relates to the aforesaid Line of Road in the *Lorne* District only; in the District of *Ilay*, the Road leading from *Lochgilthead* to *Keills*, and from *Lag* in *Jura* to *Feehine*, from *Portaskeug* in *Ilay* to *Killarow*, and from *Killarow* to *Laggavuline*, by *Bowmore*; in the District of *Mull*, the Road from *Achnacraig* to *Aross*, and from thence to *Callich* in *Mourneish*, being the Ferry to *Tyrie* and *Coll*; in *Argyll*, from *Inverary* to the Bridge of *Stronduar*, and from *Lochgilthead*, by the Bridge of *Kilmichael* and *Kilmartine*, by the Head of *Loch Craignish*, to *Kilmelford*; and in *Ardnamurchan*, from the Barracks of *Stronmean*, to the *Corran* of *Ardgour*.

District Meet-
ings to make
Reports.

XVI. And be it also further enacted, That the respective District Meetings shall annually, on the last *Tuesday* of *March*, make up an exact and regular Report, containing an Account of the whole Money received and expended on the Highways and Bridges; and also of the Services employed, the Work performed, and the Offences committed, for the preceding Year within the Parishes and District under their Direction respectively; and that such Report, signed by the Preses and Clerk of the respective District Meetings, shall be transmitted by the said Clerk to the Clerk of the General Meeting, to be held at *Inverary*, at least eight Days before the said General Meeting; and shall by the Clerk of the General Meeting be entered in his Book, and laid before the Trustees at their said Meeting; and that in case of Failure to make out and transmit such Report, the Preses and Clerk of the District Meeting so failing shall be liable in a Penalty or Fine of five Pounds Sterling for each Offence, to be levied by Distress in Manner as before mentioned.

Overseers im-
powered to take
Materials out
of the nearest
Grounds.

XVII. And be it further enacted by the Authority aforesaid, That the said Overseers (after having first obtained Warrant for so doing under the Hand of two or more Justices of the Peace) shall be and are hereby impowered to take out of any adjacent Lands, other than Gardens, Orchards, and planted Walks, Stones, Sand, Gravel, and other Materials for making and repairing the said Roads, doing the least Damage possible, and making to the Owner or Occupier of the Ground such Satisfaction as to the said Justices, or any two of them, shall seem reasonable.

Proprietors to
keep the Ditches
properly scoured.

XVIII. And be it further enacted by the Authority aforesaid, That where any Ditches have been or shall in Time coming be made to communicate with the Ditches along the Side of any of the Roads or Highways within the said Shire, that then, and so often as the same shall happen, the Proprietors thereof shall be bound to keep the Ditches properly scoured; and in case of their failing so to do when required, that the Overseers of the said Roads may, and they are hereby authorized to order the said Ditches to be cleaned and scoured at the Cost and Expence of the Occupiers and Possessors of the Grounds through which these Ditches are made; and upon their refusing Payment of the Expence thereby incurred, that it shall and may be lawful to and for the Justices of the Peace of the Bounds, or any two of them, to levy such Expence by Distress and Sale as aforesaid.

No Stones or
Rubbish to be
laid within two
Yards of the
Road.

XIX. And be it enacted by the Authority aforesaid, That no Person shall lay, or cause to be laid, any Timber, Stone, Lime, Dung, Compost, Ashes, or Rubbish whatsoever, on or within two Yards of the Side of the said Roads (except Materials for building Houses and inclosing Grounds); and that any Person or Persons so offending shall forfeit the Materials so laid down, and also the Sum of two Pounds Sterling;

Sterling; to be recovered and levied in the same Manner as the converted Price of Labour, one Half thereof to be paid to the Informer, and the other Half to be applied for making and repairing the Roads within the District; and in case it shall not appear who laid down the said Stone, Rubbish, and other Materials and Things last mentioned, that the Possessors or Occupiers of the Grounds, in which the same shall be laid down for the Time, shall be deemed and held, jointly and severally, to be the Layers down thereof.

Trustees may borrow Money.

XX. And be it enacted by the Authority aforesaid, That for the more speedy Reparation of the said Road, or of any particular Part thereof, it shall be in the Power of and lawful to and for the said Trustees in District Meeting assembled, wherein Trustees possessed of Three-fourths of the valued Rent of such District at least happen to be present, by themselves or Proxies, and not otherwise, upon the Credit of the said one Shilling in the Pound valued Rent leviable out of any District, or out of Part thereof, from Time to Time to borrow any Sum or Sums of Money, the legal Interest whereof shall not exceed one Half of the Amount of Four-fifths of the said one Shilling in the Pound which shall be levied out of the said District, or Part thereof above mentioned, and to assign over the said Four-fifths, or what Part thereof may be necessary, for extinguishing the several Sums of Money, Principal and Interest, that shall be borrowed; and that Copies of such Assignment, or Abstracts thereof, shall be entered in a Book, to be kept for that Purpose by the Trustees, and which Assignment shall be transferrable by Indorsements on the Back thereof, or on a separate Writing; and that the Money so borrowed shall be applied in the same Manner only as the Money levied in such District is hereby directed to be applied.

Securities may be assigned.

XXI. And be it further enacted by the Authority aforesaid, That all Persons in the natural Possession of their own Lands, shall be obliged to assist, by themselves, or able-bodied Men hired by them, and with their Men Servants, in making and repairing the Highways, in the same Manner as Tenants occupying Lands.

Heritors occupying their own Lands liable in Statute Service.

XXII. And whereas it has been found by Experience, that the Sum of ten Shillings Scots, being Ten-pence Sterling, upon the one hundred Pounds Scots of valued Rent, authorised to be levied by an Act of the Parliament of Scotland, made in the second Parliament of King Charles the Second, and intitled, *An Act for repairing Highways and Bridges*, has been insufficient for keeping the Roads and Bridges in the said Shire in Repair; be it therefore enacted by the Authority aforesaid, That it shall be lawful to and in the Power of the said Trustees, upon the Application of Heritors possessed of Three-fourths of the valued Rent of any District, to assess the said District in a Sum not exceeding other Ten-pence Sterling upon every one hundred Pounds Scots of valued Rent; and that such additional Assessment shall be certified to the Collector of Supply, or other Collector to be appointed by the Trustees, under the Hand of the Preses of the said Meeting; and that the same shall be levied by the said Collector in the Way and Manner, and under the Regulations, herein before appointed, respecting the one Shilling in the Pound by this present Act impowered and authorised to be levied, and shall be applied for building of Bridges, and making and repairing the Highways, within the said District; and that the old Assessment of the Ten-pence Sterling on the one hundred Pounds Scots shall be and the same is hereby reserved to the Disposal of the General Meetings as formerly.

Trustees may assess the District in an additional Sum of 10s. Scots on the 100l. Scots valued Rent, &c.

XXIII. Provided always, and be it enacted by the Authority aforesaid, That in case of any sudden Damage being done to a Bridge or Bridges within the said Shire, and which may require an immediate Support or Repair, that it shall be in the Power of any Justice of the Peace, and he is hereby impowered to give Orders for making such Support or Repairs, but so as the Sum to be expended thereupon shall not exceed five Pounds Sterling; and that the Money so expended shall be provided for and paid by the next General Meeting, on an Application to them for that Purpose.

Sudden Damage to Bridges, not exceeding 5l. may be repaired by the Order of one Justice of Peace.

XXIV. And be it enacted by the Authority aforesaid, That so far as the unapplied Funds of the said Shire are not sufficient to discharge the Sums expended before the twenty-fourth Day of June, which was in the Year one thousand seven hundred and seventy-four, by Authority of General Meetings of the Commissioners of Supply, in making and repairing Bridges and Roads, that one Half thereof shall be paid out of the Fund allowed to be levied by the before-mentioned Act of the Parliament of Scotland, passed in the Reign of King Charles the Second, and the other Half out of the Four-fifths of the one Shilling in the Pound Sterling of valued Rent, to be levied (under the Authority of this present Act) out of the District in which the Money hath been expended.

Sums expended before June 24, 1774, to be paid.

XXV. And be it enacted by the Authority aforesaid, That the Sums to be raised and levied by virtue of this Act shall be applied by the said Trustees, in the first Place, to defray and pay the Charges of obtaining and passing this Act, and afterwards wholly and solely to the Uses and Purposes before mentioned, and to no other Use or Purpose whatsoever.

Expences of this Act how to be paid.

XXVI. And be it enacted by the Authority aforesaid, That the aforesaid one Shilling in the Pound of valued Rent, and the Powers by this Act given and granted, shall take Place from and after the passing of this Act, and have Continuance during the Term of twenty-five Years, and from thence to the End of the then next Session of Parliament.

Act to continue 25 Years.

XXVII. And be it further enacted, by the Authority aforesaid, That all Actions and Complaints for all and any of the Penalties and Forfeitures imposed by this Act, and for any Wrong or Injury done or suffered in any Matter relative to or in consequence of any of the Powers by this Act given and granted, shall be commenced within the Space of twelve Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury suffered, and not afterwards.

Actions, &c. for Penalties to be commenced within 12 Months.

XXVIII. Provided always, That in case any Person or Persons shall consider themselves aggrieved by the Sentence or Judgment of the said Trustees or Justices of the Peace, upon any of the Matters or Things referred to their Determination, it shall and may be lawful to the said Person or Persons to appeal for Redress to the next General Quarter Session of the said Shire, at which not fewer than five Justices shall be present, whose Judgment thereupon shall be final, and of which no Review or Appeal shall be competent.

Persons aggrieved may appeal to the Quarter Sessions; whose Judgment shall be final.

Publick Act.

XXIX. And be it enacted by the Authority aforesaid, That this Act shall be deemed and held to be a Publick Act; and shall be judicially taken Notice of by all Judges, Justices, and others, without specially pleading the same.

C A P. LXIV.

An Act for the more easy and speedy Recovery of Small Debts within the Hundred of *Elloe*, in the County of *Lincoln*.

Preamble.

WHEREAS in the several Parishes, Hamlets, and Places following, (that is to say) *Pinchbeck, Spalding, Weston, Moulton, Whapload, Whapload Drove, Holbeach, Holbeach Drove, Fleet, Gedney, Gedney Hill, Sutton Saint Mary's, Lutton (otherwise Sutton Saint Nicholas), Sutton Saint James, Sutton Saint Edmunds, Tydd Saint Mary's, Cowbitt, Peakhill, Crowland, and Great and Little Porland (otherwise Postland)*, within the Hundred of *Elloe*, in the Parts of *Holland*, in the County of *Lincoln*, there are carried on several extensive Branches of Business, Trade, and Commerce, as well in the inland Parts thereof as upon the River *Welland*, which runs through a principal Part of the same to the Sea, which employ many thousand People, many of whom contract small Debts, amounting in the Whole to a large Sum of Money yearly; and although well able to pay the same, they often refuse so to do, presuming on the Discouragement their Creditors lie under from the great Expences they are unavoidably put to in suing for such Debts in the County Court, which is upwards of forty Miles distant from any of the said Parishes, Hamlets, and Places: And whereas an easy and speedy Method of recovering small Debts will greatly tend to promote Industry, and to support useful Credit, within the said Hundred of *Elloe*; 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 *Philip Ashley, John Burrows, the Reverend James Benson Clerk, William Chamberlain, Robert Dixon, Jacob Davey, Thomas Everson, Richard Fawcetts, William Fisher, the Reverend Richard Gibson Clerk, March Hunnings, Daniel Harvey, William Harvey, Edward Halford, John Harvey, William Holmes, John Heard, David Hurn, John Key, Edward Northon, Jarvis Palmer, Samuel Palmer, John Rustat, John Rodgerston, William Stukeley, Thomas Sands, Samuel Tyrer, John Taulks, Jonathan Watson, David Wright, John Warin, Thomas Whelldal, Joseph Watson junior, Cecil Willis D. D. John Frotheringham Senior, John Frotheringham junior, Isaac Harvey, William Jackson, Samuel Jackson, Michael Keightly, John Pears, James Palmer, Samuel Richardson, Thomas Savage, Edward Savage, William Turner, Thomas Wine, Robert Collins, Samuel Aistrup, Robert Perkins, Robert Goulding, John Watson, William Tatam, John Gibbons senior, John Gibbons junior, the Reverend Christopher Williamson, the Reverend William Maugham, Robert Francis Clapham, John Hardy, Matthew Clark, John Bycraft, Hardy Measures, William Collins, the Reverend Richard Fox, Thomas Tibley, Thomas Melbourn, John Wilson, William Wright, the Reverend John Northon Clerk, James Long, Simon Godfrey, Burgefs, Thomas Dawson, Thomas Gough, James Burton, William Whitley, Bellamy, the Reverend Hogarit Clerk, John Everson, Thomas Jenkinson, Henry Day, the Reverend William Greaves Clerk, the Reverend Morfe Clerk, Thomas Girking, Joseph Barton, John Worrall, John Pike, Thomas Jenkin, John Walker, the Reverend Charles Townsend, Thomas Measure, John Townsend, John Skelton, Robert Tunnard, Edward South, William Healey, Gentell Chappell, the Reverend John Dinham, the Reverend George Maclellan, Stephen Sanderson Ingram, Hurst Fowler, Maurice Johnson, Walter Johnson, Fairfax Johnson, John Frankland, Owen Scotney, Henry Bennett, Daniel Arnold, John Rosbe, Thomas Thorpe, Thomas Hogard, Edmund Jessop, John Ellington, John Ingram, Theophilus Buckworth, John Grundy, Samuel Elsdale the younger, Charles Green, Samuel Greaves, Jeremiah Smith, John Massey, John Massey the younger, Fullwood Sanderson, Theophilus Buckworth, William Camps, John Hinson, John Lamb, Thomas Marshall, Henry Hawkes, the Reverend Highmoore, John Hutchin, William Bailey, William Bailey the younger, William Hawkes, Edward Blithe, Thomas Robert Gates, Thomas Jennings, George Burwell, Robert Lee, George Burwell the younger, William Pearson, Richard Morgan, William Molsen, John Wilkinson, Graham Wilkinson, John Thistleton, William Henley Worrall, John Atkinson, Matthew Ives, John Carter, William Tilley, Matthew Ives, Robert Holditch, William Rodgerston, William Bellamy, Thomas Mawby, John Richardson, Samuel Lee, John Rodgerston, Thomas Sharpe, Richard Stretton, John March, Laurence Stanroyd, John Hinders, Charles Gardiner, Joseph Hill, Robert Jaques, Robert Quincey, Robert Muse, Isaac Langton, William Parrish, William Fisher, Willoughby Taylor, Thomas Hogard the younger, Robert Randall, Thomas Ives, Charles Crawford, Edward Kingston, Joseph Bothway, John Becken, Richard Ashby, Richard Ashby junior, Jacob Decamps, John Hodges, John Sly, Edmund Negus, Robert Mason, John Whitesed, William Cooling, Nathaniel Betts, and George Bearchell, shall be, and are hereby declared, constituted, and appointed Commissioners, to hear and determine all such Causes and Matters of Debt as are herein after mentioned; and such Commissioners, and their Successors, are hereby constituted a Court of Justice, by the Name and Stile of *The Court of Requests for the Hundred of Elloe, in the County of Lincoln*: And they the said Commissioners, or any three or more of them, shall, and are hereby authorized, impowered, and required, to meet, assemble, and hold the said Court, in the said Towns of *Spalding* and *Holbeach*, alternately and by Turns, once in every Week, (to wit) on every *Monday*, or oftener, if there shall be Occasion, in a Court-house, or some convenient Place, to be provided by the major Part of the Commissioners who shall be assembled at some General Meeting to be held for that Purpose; which General Meeting of the said Commissioners shall be for the first Week at *Spalding* aforesaid, on the *Monday* Fortnight next after the passing of this Act; and for the second Week at *Holbeach* aforesaid, on the *Monday* three Weeks next after the passing of this Act; and for the third Week at *Spalding* again, on the same Day of the Week; and so on in Succession and Rotation.*

Commissioners
constituted a
Court of Justice,
&c.

II. Provided

II. Provided nevertheless, That in case three or more of the said Commissioners, appointed or to be appointed by virtue of this Act, shall neglect or refuse to assemble on any of the Days appointed for holding the said Court, that then it shall and may be lawful to and for the Clerk or Clerks of the said Court, or his or their Deputy or Deputies for the Time being, to adjourn the said Court to some other convenient Day, within one Week from the Day on which the said Court ought to have been held, or till the next General Court Day to be held by Rotation as aforesaid.

For want of a sufficient Number to act, Clerk to adjourn the Court to another Day.

III. And be it enacted by the Authority aforesaid, That the Commissioners so named and appointed, and their Successors, to be chosen as herein after is mentioned, or any three or more of them, from Time to Time assembled as aforesaid, shall have Power and Authority, by virtue of this Act, to hear and determine all such Causes and Matters of Debt as shall be brought before them, in Manner as hereafter is mentioned, and to give such Judgments, and to make such interlocutory and final Orders and Decrees therein, and to award such Execution thereupon, with Costs, both against the Bodies and the Goods and Chattels of all and every the Person and Persons against whom they shall give or make any such Judgment, Order, or Decree, as to them shall seem just, and most agreeable to Equity and good Conscience: And if the Commissioners so assembled shall happen to be equally divided upon any Question that may come before them, the Commissioner present whose Name stands first on the List of the Commissioners, directed to be kept in the Court-house or Place where they shall respectively meet, shall have the casting Vote.

Commissioners Powers.

IV. And be it further enacted by the Authority aforesaid, That, from Time to Time, and as often as it shall be necessary, either by the Death of any of the said Commissioners herein before particularly named, or of any of their Successors, to be chosen in Manner herein after mentioned, or by his or their refusing or neglecting for the Space of twelve Months to act herein, it shall and may be lawful to and for the Commissioners hereby appointed, and such their Successors, or any eleven or more of them, to meet and assemble together, at any Time after such Death, Refusal, or Neglect to act, and to elect and appoint one or more Commissioner or Commissioners in the Stead and Place of such Commissioner or Commissioners dying or refusing to act; and every such Commissioner, so elected and appointed, shall be and is hereby enabled to act in the Execution of the Powers granted to the Commissioners hereby appointed, as fully and effectually, to all Intents and Purposes, as if he or they had been particularly named in this Act.

In case of Death, &c. of Commissioners, others to be chosen.

V. And be it further enacted by the Authority aforesaid, That *John Atkinson* Gentleman shall be and is hereby constituted and appointed Clerk of the said Court of Requests to be held at *Spalding*, and that *John Key* Gentleman shall be and is hereby constituted and appointed Clerk of the said Court of Requests to be held at *Holbeach*, and that *Henry Everard* shall be and is hereby constituted and appointed Serjeant of the said Court of Requests to be held at *Spalding*, and that *James Dalby* shall be and is hereby appointed Serjeant of the said Court of Requests to be held at *Holbeach*; who shall continue Clerks and Serjeants of the said Courts so long as they shall behave themselves well in their respective Offices.

Clerks and Serjeants appointed.

VI. Provided always, That no Commissioner, nor any Person or Persons who shall keep any Victualling-house, Ale-house, or other House of any publick Entertainment, or who shall sell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors, by Retail, shall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the said Court.

No Commissioner, Victualler, &c. to hold any Place of Profit.

VII. And be it further enacted by the Authority aforesaid, That whenever it shall happen that the Place of Clerk or Serjeant of the said Court shall become vacant, either by Death, Resignation, or Misbehaviour, the Commissioners for the Time being, or any eleven or more of them, shall meet at some convenient Place, as soon as conveniently may be after such Vacancy shall happen, and a Majority of the said Commissioners so met are hereby authorized and required to choose and appoint another fit Person to be Clerk or Serjeant of the said Court during his good Behaviour.

Commissioners to appoint other Clerks and Serjeants, in case of Death, &c.

VIII. And be it further enacted by the Authority aforesaid, That the Clerks herein before named and chosen, and their Successors, so from Time to Time to be chosen and appointed, or his or their lawful Deputy or Deputies, shall make and cause to be fixed up, in some convenient Part of each of the said Court-houses, fair and complete Lists, in Writing, of the Commissioners herein named and appointed, or to be elected and appointed as aforesaid; and shall also, and are hereby empowered and required to issue, or cause to be issued out, all Summonses, Attachments, Warrants, Subpoenas, and Precepts, and to register and enter, or cause to be registered and entered, all Causes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the said Court, in proper Books to be provided by them, and kept for that Purpose: And that the Serjeant and Serjeants herein before named and chosen, or from Time to Time to be chosen and appointed as aforesaid, shall, and are hereby empowered and required to serve and execute, or cause to be served and executed, all such Summonses, Orders, Attachments, Warrants, Subpoenas, Executions, and Precepts, and to do and perform all such Acts, Matters, and Things, as are herein directed and appointed to be done by them.

Clerks to fix up Lists of Commissioners in the Court-houses,

to issue Summonses, and register Orders.

Serjeants to serve Summonses, Attachments, &c.

IX. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for all and every Person and Persons whatsoever, who now hath or have, or hereafter shall or may have, any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Administrator, Guardian, or Trustee, by or from any other Person or Persons whatsoever inhabiting or residing within the Hundred aforesaid, or any Part thereof, or trading and dealing or seeking a Livelihood therein, to apply to either of the Clerks of the said Court, or his or their Deputy or Deputies for the Time being, who shall immediately make an Entry in his Book of the Cause, expressing the Names of the Parties, and the Sum demanded; and shall thereupon make out and deliver a Summons in Writing, under his Hand, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and the Name or Names of such Party or Parties demanding the same, thereby requiring and commanding such Debtor or Debtors to appear, at a certain Time and Place, before the Commissioners of the said Court, to answer such Demand; and the Serjeant of either of the said Courts shall forthwith serve, or cause such Summons

Any Persons may sue for Debts under 40 s.

How Officers are to proceed.

to be served, on such Debtor or Debtors, either personally, or by leaving the same at the Dwelling-house or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of Dealing or Working of such Debtor or Debtors within the Hundred aforesaid; and the said Commissioners, or any three or more of them, shall, upon Proof made of the Service of such Summons, have full Power and Authority, by virtue of this Act, to make due Inquiry concerning such Demands, and to pronounce and give such final Sentence or Judgment, and to make such interlocutory or final Orders and Decrees therein, as to them shall seem most just and equitable.

Commissioners empowered to make Rules, &c. for regulating the Practice of the Court;

X. And, for the better regulating the Proceedings of the said Court, and rendering this Act effectual 'for the Purposes thereof,' be it enacted by the Authority aforesaid, That the Commissioners for the Time being, or any five or more of them, being a Majority of the Commissioners assembled in Court as aforesaid, shall have full Power and Authority, by virtue of this Act, from Time to Time, and as often as they shall see Occasion, at any of the said Courts, to make such Rules or Orders, for the better regulating the Practice of the said Court, as to them shall seem necessary and conducive to the Purposes of this Act, so as they shall be consistent with Equity, and do not tend to lessen, abridge, or alter the Fees herein-after allowed by this Act to be taken by the respective Clerks and Serjeants or Officers of the said Courts for the Time being, or to the Exercise of any Jurisdiction inconsistent with the true Intent and Meaning of this Act, and do relate to the Process, Practice, and Method of Proceeding of and in the said Court only; according to which Rules and Orders, so from Time to Time to be made, the said Commissioners, or any three or more of them, shall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt not amounting to the said Sum of forty Shillings, which shall be brought before them by virtue of this Act, and to make and pronounce such Judgments and Decrees concerning the same, and the Costs of Suit, as to them shall seem agreeable to Equity and good Conscience.

and to administer Oaths.

XI. And, for the better Discovery of the Truth, and for the more solemn Determination of all the 'Causes and Matters which shall be depending in the said Court,' be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in Court, and they are hereby empowered to administer, or cause to be administered, an Oath to the Party or Parties, Plaintiff or Plaintiffs, Defendant or Defendants, and also to such Witnesses or Witnesses as shall be produced by either Party, and also to the Officers of the Court, and to any Person or Persons whatsoever, whose Evidence shall to the said Commissioners, or to the major Part of them assembled at the said Court, appear necessary.

Commissioners, on Non appearance of Defendant, may proceed to hear the Plaintiff, &c.

XII. And be it further enacted by the Authority aforesaid, That if any Debtor or Debtors, who shall have been duly summoned as aforesaid, shall, without some good Cause, to be allowed by the said Court, refuse or neglect to appear in the said Court at the Time mentioned in the said Summons, then it shall and may be lawful to and for the said Commissioners, or any three or more of them, upon Proof being made upon Oath of the Service of the said Summons in Manner before directed, to proceed to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgment therein, and to award such Costs, as to them shall seem meet.

And on Non-appearance of Non-suit of Plaintiff, may award Costs.

XIII. And be it further enacted by the Authority aforesaid, That if upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the said Court, the Plaintiff or Plaintiffs shall not appear, or appearing shall not make Proof of his, her, or their Debt or Demand to the Satisfaction of the said Court, it shall and may be lawful to and for the said Commissioners, or any three or more of them, to award to the Defendant or Defendants reasonable Costs, and to order and compel the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the enforcing of the Payment of Debts and Costs ordered and decreed to be paid by the said Court.

Commissioners may award Execution against the Body or Goods of any Person liable to Payments; who may be committed for 3 Months, or till Order, &c. is obeyed.

XIV. And be it further enacted by the Authority aforesaid, That in any Case where the said Commissioners, or any three or more of them, shall have made any Order or Decree for the Payment of Money, it shall and may be lawful to and for the said Commissioners, or any three or more of them, to award Execution, either against the Body or Goods of the said Party or Parties against whom such Order or Decree shall be made; and thereupon it shall and may be lawful to and for the Clerk of either of the said Courts, at the Request of the Party or Parties prosecuting such Order or Decree, to issue a Precept, under his Hand and Seal, to the Serjeant of either of the said Courts, who, by virtue of any such Precept issued upon the Execution awarded against the Body or Bodies of such Party or Parties, shall and may, and is and are hereby empowered and required to take and apprehend, or cause to be taken and apprehended, such Party or Parties, being within the Hundred aforesaid, and to convey him, her, or them, to some Common Gaol, or House of Correction, within the said County of Lincoln, there to remain until he, she, or they, shall perform and obey such Order, Decree, or Judgment, so as no Person shall remain in Confinement upon any such Execution for any longer Space of Time than three Months: And such Serjeant, by virtue of any such Precept issued upon the Execution awarded against the Goods of any such Party, shall and may, and is and are hereby empowered to levy, by Distress and Sale of the Goods of such Party, being within the Hundred aforesaid, such Sum and Sums of Money, and Costs, as shall be so ordered and decreed: And if the Party against whose Body or Goods such Execution shall be awarded, and such Process shall issue thereupon, shall, by absconding, or by secreting or removing his, her, or their Goods, or by any other Means, prevent or evade the Service or Effect of any such Execution, it shall and may be lawful to and for the said Commissioners, or any three or more of them, upon due Proof thereof, made to them by the Oath or Oaths of such Serjeant, or of one or more credible Witness or Witnesses, at their Discretion, to award Execution, either against the Body or Goods of such Party or Parties; and Process shall issue thereupon, and be executed by the respective Serjeants in Manner aforesaid, until the Party or Parties, at whose Suit such Execution shall be issued, shall be fully paid and satisfied.

How Serjeant may proceed if the Party abscond, &c.

When Debts are to be paid at several Times,

XV. And be it further enacted by the Authority aforesaid, That in case the said Commissioners, or any three or more of them, shall at any Time, upon the Request, and for the Ease and Convenience of the Defendant

Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at several Payments, then, upon the first Default or Failure of any of the said Payments so ordered and decreed, the said Commissioners, or any three or more of them, assembled in Court, shall and may, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, award Execution for the whole Debt, or such Part thereof as shall then remain unpaid, together with such further Costs as to them shall seem reasonable; to be recovered by the same Process, and in like Manner as is herein before provided for Recovery of the Debt and Costs first decreed; the former Order or Decree to the contrary thereof notwithstanding.

how the Court is to proceed on Failure.

XVI. And be it further enacted by the Authority aforesaid, That in every Precept to be issued upon any Execution awarded against the Body or Goods of any Person or Persons whatsoever, the Clerk who issues the same shall express and set down in Writing the Sum or Sums of Money and Costs so ordered and decreed to be paid: And if the Party or Parties against whom such Execution shall be awarded, shall, before any actual Sale of his, her, or their Goods, or before he, she, or they, is, are, or shall be taken and apprehended, or before the Expiration of the Term of his, her, or their Imprisonment, pay, or cause to be paid or tendered, unto the Clerk of the Court who shall issue such Precept, such Sum or Sums of Money and Costs, together with one Shilling as a Reward for his Trouble in receiving and paying over such Debts and Costs to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction in the Book or Register of the said Court for such Debt and Costs, and also the Sum of two Shillings and Sixpence for Gaol Fees, in case such Party or Parties shall have been committed to Prison; then, and in such Case and Cases, the Execution shall be superseded, and the Body or Bodies and Goods of such Party or Parties shall be discharged and set at Liberty.

In every Precept issued upon any Execution, Clerk to endorse the Debt and Costs. Conditions on which Executions may be superseded.

XVII. And be it further enacted by the Authority aforesaid, That if the Serjeant of either of the said Courts, who shall be employed to serve or levy any Execution, shall, by wilful Connivance or Neglect, cause or suffer the Party against whom such Execution shall be awarded to escape or abscond, or the Goods of such Party or Parties to be carried away or secreted, so as such Execution shall not have its due Effect, it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in Court, upon Complaint, and due Proof made upon the Oath or Oaths of one or more credible Witness or Witnesses, to order such Serjeant to pay the Sum or Sums of Money for which the said Execution was awarded to the Party complaining, and to enforce the Payment thereof by the same Method and Means as are herein before provided for the Payment of other Debts.

If Serjeants wilfully suffer an Escape, or Goods to be removed, they are to pay the Debt and Costs.

XVIII. And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, until he shall have taken an Oath to the following Effect; (that is to say,)

Commissioners to take the following Oath.

‘ I A. B. do swear, That I will faithfully, impartially, and honestly, according to the best of my Judgment, hear and determine all such Matters and Causes as shall be brought before me, by virtue of an Act of Parliament For the more easy and speedy Recovery of Small Debts within the Hundred of Elloe, in the County of Lincoln, without Favour or Affection, Prejudice or Malice, to either Party.
‘ So help me GOD.’

The Oath.

Which Oath the Clerk of either of the said Courts, or any of the Commissioners who shall have taken such Oath, is and are hereby impowered and required to administer in open Court; and the Clerk of either the said Courts shall enter, or cause a Memorial thereof to be entered, in the Register of the said Court.

Memorial thereof to be registered.

XIX. And be it further enacted by the Authority aforesaid, That the several Fees herein after limited and expressed, and no other, shall be taken by the Clerks or Serjeants, or their Successors, for their several and respective Services in the Execution of this Act; (that is to say,)

Clerks and Serjeants Fees.

To the CLERKS.

For entering every Cause, Sixpence:—For issuing every Summons, Sixpence:—For every Subpœna, Sixpence:—For calling every Plaintiff or Defendant before the Court, Three-pence:—For every Hearing or Trial, Sixpence:—For swearing every Witness, Plaintiff, or Defendant, Three-pence:—For every Order, Judgment, or Decree, Sixpence:—For a Nonsuit, Sixpence:—For every Search in the Books, Three-pence:—For paying Money into Court, Sixpence; if by Instalments, Sixpence in the Pound more:—For taking Money out of Court, and acknowledging of Satisfaction in the Clerk's Book, Sixpence:—For every Attachment, Sixpence:—For every Execution, Sixpence:—For every Warrant of Commitment for an Insult or Misbehaviour in the Court, or to the Commissioners Clerks, or Officers of the Court, one Shilling.

To the SERJEANTS.

For the Service of every Summons, Order, or Subpœna, if within either of the Towns of Spalding or Holbeach, and attending the Court with the Return thereof, Sixpence; if out of either of the said Towns, Three-pence more for every Mile:—For calling every Plaintiff or Defendant before the Court, one Penny:—For executing every Attachment, Execution, or Warrant, against the Body or Goods, one Shilling; if out of Town, Three pence more for every Mile:—For carrying every Plaintiff, Defendant, or Delinquent, to Prison, Sixpence more for every Mile.

A Table of which Fees shall, from Time to Time, be hung up by the Clerk of each of the said Courts in some conspicuous Part or Parts of the said Court-house or Court-houses, Place or Places, where the said Commissioners shall meet, so that all Persons concerned may see and examine the same.

Table of Fees to be hung up in the Court house.

XX. And

Penalty on taking greater Fees.

XX. And be it further enacted by the Authority aforesaid, That if any of the Clerks or Serjeants of the said Court for the Time being shall take or demand any greater or other Fees or Reward than what are herein before mentioned, for his or their Service in the Execution of this Act, he and they shall, for every such Offence, forfeit and pay such Fine (not exceeding the Sum of forty Shillings, nor less than ten Shillings) as the said Commissioners, or any seven or more of them, shall assess and impose; to be applied to the Use of the Poor of the Town or Parish where the Offence shall be committed.

Clerks and Serjeants may be displaced, on Misbehaviour.

XXI. And be it further enacted by the Authority aforesaid, That if any of the said Clerks or Serjeants shall be guilty of any Misbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before mentioned, or otherwise, in the Execution of their respective Offices, that then, upon Complaint, and due Proof thereof made upon Oath in open Court, the said Commissioners then sitting are hereby directed and required to cause the whole Number of Commissioners to be summoned, by an Advertisement to be inserted in some publick News-paper, to meet at a convenient Time and Place; and the Commissioners then present, not being less than eleven in Number, shall and may examine and consider the Merits of such Complaint; and if it shall appear to such Commissioners, or the major Part of them, that any of the Clerks or Serjeants have been guilty of such Misbehaviour or Breach of Duty, as aforesaid, in his Office, it shall and may be lawful to and for the said Commissioners, or the major Part of them then assembled, to dismiss or remove such Clerk or Serjeant from his said Office, and to nominate and appoint a fit and proper Person to execute the said Office of Clerk or Serjeant, in the Room and Place of him so dismissed and removed as aforesaid.

No Commissioner, &c. to act where he is interested.

XXII. And be it further enacted by the Authority aforesaid, That if any Commissioner of the said Court for the Time being shall be Party to, or interested in, any Cause depending in the said Court, such Person shall not be capable of acting as Commissioner in the hearing and determining such Cause, or making any Order, Decree, or Judgment therein; but, after being heard in the said Cause, shall withdraw from the said Court, until the same is finally determined: And if the Clerk or Serjeant of the said Court for the Time being shall be a Party to or interested in any Cause depending in the said Court, such Clerk or Serjeant shall not exercise his said Office in the said Cause, or in any Thing relating thereto; but the said Commissioners, or any three or more of them, assembled at such Court, shall and may depute and appoint another Person to exercise the said Office of Clerk or Serjeant respectively, in all Things relative to such Cause.

Penalty on Persons insulting the Court, or obstructing the Officers.

XXIII. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the said Commissioners, and that the Commissioners, and the Clerks and Officers of the said Court, may be invested with proper Power and Authority, and be free and exempt from Insult and Abuse, be it enacted by the Authority aforesaid, That if any Person or Persons shall affront, insult, or abuse, all or any of the Commissioners, Clerks, or Officers, of the said Court for the Time being, during their sitting in the said Court, or in going to or returning from the same, or shall interrupt the Proceedings of the said Court, or at any Time shall affront, insult or abuse, hinder or obstruct, or attempt or threaten to hinder or obstruct, any of the Clerks or Serjeants in the lawful Execution of his or their respective Office or Offices, it shall and may be lawful to and for the said Commissioners, or any three or more of them then sitting, or if not then sitting, at the next Court to be held in or near the Town where such Insult or Misdemeanor shall be committed, to cause a Warrant to be issued by the Clerk of the said Court, or his or their Deputy or Deputies, directing such Serjeant to apprehend and take, or cause such Person or Persons so offending as aforesaid to be apprehended and taken, before one or more of his Majesty's Justice or Justices of the Peace for the Parts of *Holland*, in the County of *Lincoln*; and upon the Fact alleged being proved by the Oath of one or more credible Witness or Witnesses, the said Justice or Justices is and are hereby empowered and directed to punish such Person or Persons so offending as aforesaid by Fine, not exceeding the Sum of forty Shillings, nor less than five Shillings, which shall be immediately paid into the Hands of the said Justice or Justices before whom such Offender or Offenders shall be convicted, and be paid and applied in like Manner as the Fines herein before mentioned are directed to be applied: And if the said Offender or Offenders shall not pay the said Fine in Manner aforesaid, it shall and may be lawful to and for the said Justice or Justices, by Warrant under his or their Hand and Seal or Hands and Seals, to cause the same to be levied by Distress and Sale of the Offender's Goods, or to commit such Person or Persons so offending as aforesaid to some common Gaol or House of Correction in the said County of *Lincoln*, there to remain for any Space of Time not exceeding three Months, or until he, she, or they, shall pay the said Fine.

Copy of preceding Clause to be stuck up in the Court-houses.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That the respective Clerks of the said Court shall fix, or cause to be fixed or stuck up, in some publick Part of each of the said Court-houses, or other Places where the said Commissioners shall meet, a true Copy of the last preceding Clause of this Act, to the End that no Person or Persons shall or may plead Ignorance thereof.

Gaolers, &c. to receive Persons committed.

XXV. And be it further enacted by the Authority aforesaid, That the respective Keepers for the Time being of the respective Common Gaols, or Houses of Correction, within the said County of *Lincoln*, shall and may, and they are hereby required and commanded to receive and take into their Custody respectively, all and every Person and Persons who shall be committed, or ordered to stand committed, by any three or more of the said Commissioners present in Court, or by virtue of any Warrant, Attachment, Execution, or other Process issuing out of the said Court of Requests: And in case the Keepers of the said Gaols or Houses of Correction respectively, or either of them, shall neglect or refuse to receive and take into his or their Custody any Person or Persons committed by virtue of this Act, or, before the Expiration of the Time for which any Person or Persons shall be so committed to his or their Custody, shall discharge such Person or Persons, or wilfully permit and suffer such Person or Persons to go at large, without a Warrant, Order, or Authority for that Purpose, in Writing, signed in Court by three or more of the said Commissioners;

Penalty on Refusal, or permitting an Escape.

tioners; every Keeper offending in any of the Cases aforesaid, and being thereof convicted before one or more of his Majesty's Justices of the Peace for the Parts of *Holland*, in the said County, upon the Oath or Oaths of one or more credible Witnesses or Witnessesses, or on his or their own Confession, shall forfeit and pay, for every such Offence, any Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of such Justice or Justices; and such Sum shall be immediately paid by the Person or Persons so offending into the Hands of the Justice or Justices before whom he or they shall be convicted, or in Default thereof, shall and may be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices; and which Sum, when paid or levied, shall be applied in like Manner as the Fines herein before mentioned are directed to be paid and applied.

XXVI. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons residing or inhabiting within the Jurisdiction thereof in any of the King's Courts at *Westminster*, or in the Court held for the said County of *Lincoln*; and no Suit that shall be commenced in the said Court of Requests, in pursuance of this Act, nor any Proceedings therein, shall or may be removed into any superior Court; but the Judgments, Decrees, and Proceedings of the said Court, shall be final and conclusive to all Intents and Purposes.

No Action for Debt, recoverable by this Act, to be brought in any other Court.

XXVII. And be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to any Debt for Rent upon any Lease or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in question, or in or upon any other real Contract; nor to any Debt that shall arise upon or by reason of any Cause concerning any Last Will or Testament, or Matrimony, or any Thing properly belonging to the Ecclesiastical Courts; nor to any Debt for Money won at or by means of any Horse-race, Cock-match, Wager, or any kind of Gaming or Play; nor for any Forfeiture upon any penal Statute or Bye-law; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promise, to pay within six Years before the taking out of the Summons for the same, although such Debt shall not amount to forty Shillings.

To what Debts this Act shall not extend.

XXVIII. And be it further enacted by the Authority aforesaid, That in case any Person or Persons making Oath, or giving Evidence, in any Cause or Matter whatsoever depending in the said Court of Requests, shall commit wilful and corrupt Perjury, and be thereof duly convicted according to Law, such Person or Persons shall incur and suffer the like Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury is or are liable to, or shall be subject to, by the Laws and Statutes of this Realm.

Penalty on Persons guilty of wilful Perjury.

XXIX. And be it further enacted by the Authority aforesaid, That in case any Person residing within the Hundred aforesaid, who shall be duly served with a Subpœna or Summons, to be issued out of the said Court of Requests, to give Evidence on Behalf of any Plaintiff or Defendant, shall neglect or refuse to appear pursuant to such Subpœna or Summons, at the Time and Place therein mentioned, and due Procf shall be made of the Service of such Subpœna or Summons, and no Cause of Absence be shewn or assigned, to the Satisfaction of the Commissioners present at the Court to which such Person shall be by such Subpœna or Summons required to appear, and Oath shall be made before the said Commissioners, by the Party at whose Instance and on whose Behalf such Subpœna or Summons issued, that the Person served therewith was a material Witness for such Party, it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in such Court, to impose and lay a Fine, not exceeding fifty Shillings, nor less than five Shillings, to be levied (if not immediately paid on Demand) by Distress and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them; which Fine, when paid or levied, shall be paid over to the Party at whose Instance such Subpœna or Summons issued.

Penalty on not obeying a Subpœna.

XXX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done, or to be done, in pursuance of this Act, such Action or Suit shall be brought or commenced within three Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the County of *Lincoln*, 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 thereon: And if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue such Action or Suit, or if upon a Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedies for the same, as any Defendant or Defendants can or may have in other Cases where Costs are given by Law.

Limitation of Actions.

General Issue.

Treble Costs.

XXXI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

Publick Act.

C A P. LXV.

An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the several Parishes of *Ramsay*, *Bury*, *Wistow*, *Warboys*, *Somersham*, *Colne*, and *Pidley with Fenton*, in the County of *Huntingdon*, and in the Parishes of *Chatteris* and *Doddington*, within the *Isle of Ely*, in the County of *Cambridge*.

WHEREAS there are in the County of *Huntingdon*, and in the *Isle of Ely*, and County of *Cambridge*, certain Fen Lands and Low Grounds herein after particularly described, containing, by Estimation, five thousand eight hundred Acres, or thereabouts, which, by reason of their low Situation,

Preamble;

and the Decay of their Banks, are overflowed with Water: And whereas there are also certain other Fen Lands and Low Grounds in the several Parishes of *Ramsay, Bury, Wislow, Warboys, Somersham, Colne, and Pidley with Fenton*, in the said County of *Huntingdon*, and *Chatteris and Doddington* in the said *Isle of Ely*, and County of *Cambridge*, herein after particularly described, containing, by Estimation, nine thousand one hundred Acres, or thereabouts, and which, together with other Lands, are already comprised in a certain Act, made in the twenty-second Year of the Reign of his Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of Sutton, Mepal, Witcham, Chatteris, Doddington, and a Place called Byal Fen, in the Isle of Ely, and County of Cambridge, and also in the Parishes of Somersham and Pidley with Fenton, in the County of Huntingdon*; and also in another Act, made in the thirtieth Year of the Reign of his Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of Ramsay, Bury, Wislow, Warboys, Farcett, Standground, and Water-Newton, in the County of Huntingdon, and of Doddington in the Isle of Ely, and County of Cambridge*; and also in another Act, made in the thirty-first Year of the Reign of his Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Parishes of Chatteris and Doddington in the Isle of Ely, in the County of Cambridge*; and also in another Act, made in the thirty-second Year of the Reign of his Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the Parishes of Somersham and Pidley with Fenton, and the Parish of Colne, in the County of Huntingdon*: And whereas the said Acts have been found insufficient for effectually draining and preserving the said last-recited Fen Lands and Low Grounds: And whereas all the said Fen Lands and Low Grounds are abutted and bounded as follows: that is to say, Beginning at the South Bank of the *Forty Foot River*, and from thence along by the Side of the *Outring Ditch* of a Piece of Ground of the Heirs of *William Chandler*, which divides that and a muchwood Part called *A Thistle Green Lot*, and from thence to the Farm-yard of *William Fellowes Esquire*, now in the Occupation of *Abraham Staffurth*; and from thence along the Skirts of the High Lands belonging to the said Farm; and from thence along the Skirts of the High Lands of *Worlick Farm*; and from thence along by the Skirts of the High Lands of another Farm of the said *William Fellowes*, in the Tenure or Occupation of *William Brown*; and from thence along by the Skirts of the High Lands of one other Farm of the said *William Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the High Lands adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along the High Land Skirts of a Ground called *The Oak Tree Ground*, to the Skirts of the High Lands of *Peter Brighty Gentleman*, to the *Outring Ditch* that divides the Parishes of *Ramsay and Bury* belonging to the Heirs of *John Poulter Yeoman*, to a certain Drove called *Long Drove*, and across the said Drove to the *Outring Dike* of a Lot of the Reverend Master *Hodson*, which divides a Lot of the said *John Poulter's* Heirs and a Lot of *Ann Sibley Widow*, to the *Outring Dike* of the Heirs of *Jonathan Nicholls*, and along the said Dike to the North End of a Piece of Land called *The Willow Row*, belonging to the Heirs of the said *John Poulter*, and along the East and South Dike of the said *Willow Row* to a Drove called *Jack's Corner Drove*, and along the said Drove to a twenty Acre Piece of Sir *Robert Bernard* Baronet, and along the Division Dike which divides a Lot of *William Gosling junior* and a Lot of the said Sir *Robert Bernard* to a Division Dike which in Part divides the said twenty Acres and *Vicar's Closes*, and thence across a Drain which in Part divides the said *Vicar's Closes* and *Jack's Corner*, the Lands of the said Sir *Robert Bernard*, to a Dike which divides the High Lands of the said *Vicar's Closes* from the fenny Parts thereof, to a *Wislow Fen Lot*, called *Durrant's Lot*; from thence to a Drove called *Durrant's Drove to Wislow Fen Long Drove*; and from thence to *Wislow Stray Pasture Drove*, and along the same to *Wislow Stray Pasture*, and along the High Land Skirts thereof, to a Division Dike which divides the Parish of *Warboys* and the said *Wislow Stray Pasture* and the Land Skirts of *Warboys Stray Pasture*, next the fenny Parts thereof, to the *Outring Dike* of the said *Stray Pasture*, which divides that and the Common called *Old Stray Pasture*; and from thence along the Skirts of the High Land of the said *Common Stray Pasture*, to *Warboys Cow Common*, and along the High Land Skirts thereof to *Northern Ware*; and from thence still along the High Land Skirts of the said *Common to Chappel Head*; and from thence along the Skirts of the High Lands to a certain Hill near *Willborn Ware*; and from thence to the High Lands next *Fenton Load* near *Pagitt's Closes*, and across the said *Fenton Load*, and by and along the North-east Side of *Pagitt's Closes* to *Fenton Green*, and across *Fenton Green* to *Fenton Meadow*, and along the North-east Side thereof to *Fenton Drove*, and across the same to *Pidley Meadow*, and along the North Side thereof to *Pidley Drove*, and across the said Drove to a Ground late *Cope's*, now in the Occupation of *Widow Barnes*; and from thence along the North and East Sides of the said Ground to the Ground of *Edward Holder*, and along the East Side thereof to two Closes of *John Ibbotts*; from thence along the East and South Sides thereof to the Bottom of *Fern Hill* to *Somersham Low Wood Corner*; and from thence along the said Wood to *College Closes*; and from thence to the South Side of a certain Place called *Little Land Floods* to a certain Place called *Somersham Meadow Dike*, and by and along *Somersham Meadow Dike* to a certain Drove called *Rumball's Drove*, and across the same to the Lands of *Thomas Day Esquire*; and from thence to a certain Ditch called *Sher's Ditch*; and from thence to a Place called *Parkhill Lot Side*; and from thence between the Lands of *John Leeds* and *James Mason*, lying on the West Side of *Long Drove*, and from thence to the Lands of *Thomas Want* and *John Thompson Esquires*; and from thence to the Lands of *Jane Leeds Widow*; and from thence by *Long Drove* to a certain Place called *Cross Lakes*; from thence to *Cross Drove*, and across the same to certain High Lands of *Thomas Day Esquire*, by the Skirts of the same, round the fenny Parts thereof, to the Low Lands of the said *Thomas Day*; and from thence to the Lands of *Bartholomew Ibbott*; and from thence to a Lot of *John Rumball Leeds*, and across the Drove to other Lands of the said *John Rumball Leeds* and *James Mason* to the

Lands described.

Somersham

6 *Somerſham Turnpike Road*, and acroſs the ſame to the Dike which divides the Land called *The Weſt Water* and the ſaid Road, and along the ſame Ditch to *Chatteris Ferry*, the Houſe of *William Grant*; and from thence by and along the High Land Skirts of *Key's Farm*; and from thence by the Skirts of the High Land in *Chatteris Acre Fen* to *Pincham's Holt*; and from thence along the High Land Skirts of *Chatteris Common* to *Hunneſham Ford*; from thence to the South-eaſt Corner of a Piece of Land in *Westmoor*, the Property of *Ann Moule*, late *Doyley's*; and from thence by and along the Outring Ditch that divides certain Lands in *Westmoor* aforeſaid and a certain Part of *Chatteris Common* called *Undorwilly*, to the Skirts of *Badney Hill*; and from thence acroſs the Turnpike Road, and along by the Skirts of the High Land in *Curf Common* to *Wimblington Leam* near *Slade Load*; and from thence along by the Skirts of the High Land of certain Parts of *Chatteris Common* called *Under Northey*; and from thence round the Skirts of the High Land in *Birch Fen* and *Campole*; and from thence by the Skirts of the High Land on the Weſt Side of *Langwood Hill*, and by the Skirts of a certain Piece of High Land of *Joſeph James* to *The forty Foot Bank*, and along the ſame Bank on the South Side of the ſaid River to *Carter's Bridge*; and from thence ſtill along the ſame Bank on the South Side of the *forty Foot River*, to *The forty Foot Bridge*, in the Pariſh of *Ramſey* aforeſaid: And whereas all the ſaid Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, cannot be ſufficiently drained by the Means now uſed for draining the ſame; may it therefore pleaſe 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 ſo much of the ſaid Acts, made in the twenty-second, thirty-fiſt, and thirty-second Years of the Reign of his Maſteſty King *George the Second*, as in any-wiſe relates to the ſeveral Fen Lands and Low Grounds herein-before deſcribed; and ſo much of the ſaid Act, made in the thirtieth Year of the Reign of his Maſteſty King *George the Second*, as impowers the Commiſſioners acting under the ſaid Act, to heighten, ſtrengthen, and ſupport, a certain Bank commonly called *Northey Bank*, from the High Lands on *Bury Meadow* to *The Stillyard Houſe* at *Ramſey*, and alſo another Bank commonly called *The forty Foot Bank*, from *The forty Foot Bridge* to *Puttock Brdge*, ſhall be repealed; and that from and after the paſſing of this Act, the ſaid Fen Lands and Low Grounds and the ſaid Banks, ſhall be ſubject to the Controul, Authority, and Jurisdiction, of the Commiſſioners under this Act, in Manner herein-after mentioned, and not to the Controul, Authority, and Jurisdiction, of the Commiſſioners acting under and by the Authority of the ſaid recited Acts, any Thing in the ſaid Acts contained to the contrary notwithstanding.

So much of former Acts as relates to the Lands under this Act repealed.

Fen Lands, &c. to be under the Controul of the Commiſſioners under this Act.

Proviſo deſcribing the Lands to be under the Controul of Commiſſioners till *Wimblington Leam*, &c. be widened, &c.

II. Provided nevertheless, That none of the ſaid Fen Lands and Low Grounds comprifed in the ſaid Acts, made in the twenty-second and thirty-second Years of the Reign of his Maſteſty King *George the Second*, except the Diſtrict herein-after called *The Second Diſtrict for Draining*, and deſcribed as follows; that is to ſay, beginning at and from the North-eaſt Corner of *Westmoor* and *Beezling's Diſtrict* in *Chatteris* and *Doddington* aforeſaid, near *The Forty Foot River* or *Drain* and *Chatteris Common*; and from thence along by a Part of *Chatteris Common* called *Curf*; and from thence abutting upon and againſt Land called *Willy*, to the End of certain Land next adjoining to a Place called *Hive End Burrows*, now in the Poſſeſſion of *Ann Moule*; and from thence along by the Outring Ditch of certain other Lands, now in Poſſeſſion of the ſaid *Ann Moule*, *Kempton*, *Joſeph Brown*, *John Gardner*, Eſquire, and others, to the Diſiſion Dike which parts the ſaid Lands and a certain Common called *Chatteris Mow Fen* otherwiſe *Acre Fen*; and from thence along by the Outring Ditch next the ſaid *Mow Fen* otherwiſe *Acre Fen* to a Piece of Land formerly called *West Water* otherwiſe *Old West Water*, and along by the ſaid *West Water* to certain Lands of *Henry Peyton* Eſquire; and from thence by and along the South-weſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the North-weſt End of the ſaid Lands of the ſaid *Henry Peyton*, and acroſs the Ditch which divides the ſaid Lands and the Lands of *Matthew Wyldbore* Eſquire up to the Bank on the Lands of the ſaid *Matthew Wyldbore*, and then by and along by the North-eaſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the South-weſt Corner of a certain Piece of Land of *William Skeeles*; and from thence along by the Ditch on the Eaſt Side of a certain Drove called *Beezling's Drove* to the aforeſaid Drain called *The Forty Foot River* or *Drain*; and from thence along by the ſaid River or Drain to the aforeſaid North-eaſt Corner of the ſaid *Westmoor* and *Beezling's Diſtrict*, near *Chatteris Common* aforeſaid, ſhall come under, or be ſubject to, the Controul, Authority, and Jurisdiction, of the Commiſſioners under this Act, except as herein-after is excepted, until the *Twenty Foot Drain* otherwiſe *Wimblington Leam* and *Fenton Load* ſhall be widened and deepened, and the Banks on each Side thereof completed, and a Pair of Doors erected at the hard Lands at *Slade Load* in *Chatteris*, and two Mills erected at the End of the ſaid *Twenty Foot Drain* otherwiſe *Wimblington Leam*, next to *Vermuyden's* otherwiſe *the Forty Foot River* or *Drain*, in the Manner herein-after directed.

III. Provided nevertheless, That the Commiſſioners acting for the Lower Diſtrict for embanking, together with the Commiſſioners of *the Three hundred Acre Farm*, herein-after mentioned, ſhall, from and immediately after the paſſing of this Act, have the ſame Power of charging and collecting upon and from the ſaid laſt-mentioned Lands the ſame Rates and Taxes for the Purpoſe of embanking, as are charged upon, and may be collected from, the other Lands within the ſaid Lower Diſtrict for the Purpoſe of embanking.

Proviſo.

IV. And be it further enacted, That all the ſeveral Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, ſhall be, and are hereby made two ſeparate Diſtricts, with reſpect to making, repairing, and keeping in Repair, the ſeveral Banks in this Act mentioned; that is to ſay, That ſo much of the ſaid Fen Lands and Low Grounds as is contained in the following Boundary, beginning at the South Bank of the *Forty Foot River*; and from thence along by the Side of the Outring Ditch of a Piece of Ground of the Heirs of *William Chandler*, which divides that and a muchwood Part called *A Thistle Green Lot*; and from thence to the Farm-yard of *William Fellowes* Eſquire, now in the Occupation of *Abraham Staffurth*; and from thence along the Skirts of the High Lands belonging to the ſaid Farm; and from thence along the Skirts

Lands before deſcribed to be two Diſtricts for embanking.

Skirts of the High Lands of *Worlick Farm*; and from thence along by the Skirts of the High Lands of another Farm of the said *William Fellowes*, in the Tenure or Occupation of *William Brown*; and from thence along by the Skirts of the High Land of one other Farm of the said *William Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the High Land adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along by the Skirts of the High Lands of a Ground called *The Oak Tree Ground*, to the Skirts of the High Lands of *Peter Brighty Gentleman*, to the Outring Ditch which divides the Parish of *Ramsay* and *Bury* to the Outring Dike of a *Bury Fen Lot* belonging to *Richard Batson*, which divides that from a Lot belonging to the Heirs of *John Poulter* Yeoman, to a certain Drove called *Long Drove*, and across the said Drove to the Outring Dike of a Lot of the Reverend Master *Hodson*, which divides a Lot of the said *John Poulter's* Heirs and a Lot of *Ann Sibley* Widow, to the Outring Dike of the Heirs of *Jonathan Nicholls*, and along the said Dike to the North End of a Piece of Land called *The Willow Row*, belonging to the Heirs of the said *John Poulter*, and along the East and South Side of the said *Willow Row* to a Drove called *Jack's Corner Drove*, and along the said Drove to a Twenty Acre Piece of Sir *Robert Bernard* Baronet, and along the Division Dike which divides a Lot of *William Gosling* junior and a Lot of the said Sir *Robert Bernard* to a Division Dike which in Part divides the said twenty Acres and *Vicar's Closes*; from thence across a Drain which in Part divides the said *Vicar's Closes* and *Jack's Corner*, the Land of the said Sir *Robert Bernard*, to a Dike which divides the High Lands of the said *Vicar's Closes* from the fenny Parts thereof to a *Wistow Fen Lot* called *Durrant's Lot*; and from thence to a Drove called *Durrant's Drove* to *Wistow Fen Long Drove*; and from thence to *Wistow Stray Pasture Drove*, and along the same to *Wistow Stray Pasture*, and along the High Land Skirts thereof to a Division Dike which divides the Parish of *Warboys* and *Wistow Stray Pasture* and the Land Skirts of *Warboys Stray Pasture*, next the fenny Parts thereof, to the Outring Dike of the said *Stray Pasture*, which divides that and the Common called *Old Stray Pasture*; and from thence along the Skirts of the High Land of the said *Common Stray Pasture* to *Warboys Cow Common*, and along the High Land Skirts thereof to *Northern Ware*; and from thence still along the High Land Skirts of the said *Common* to *Chappel Head*; and from thence along the Skirts of the High Land to a certain Hill near *Wilthorn Ware*; and from thence by the High Lands to *Fenton Load* near *Pagitt's Closes*; and from thence back to the said Hill near *Wilthorn Ware* along *Warboys Cow Common New Pasture* and the High Fen next *Fenton Load* to the *Three hundred Acre Farm*, and along the said Farm next *Fenton Load* to the *West Water*, and by and along the North-east Side of the said *West Water* to the Corner of *Westmoor* and *Beezling's District*, and by and along the Outring Ditch that divides the said District and certain Parts of *Chatteris Acre Fen* to another Part of *Chatteris Common* called *Hive End Burrows*; and from thence by and along the Outring Ditch that divides the said District and the said *Hive End Burrows* to the East Corner of the said District; and from thence by and along the Outring Ditch that divides the said District from a certain other Part of *Chatteris Common* called *Under Willy*, to *The Forty Foot River*, and by and along the South Bank of the said River to *Putteck's Bridge* and *The Forty Foot Bridge*, in the Parish of *Ramsay* aforesaid, shall be and be called *The Upper District or Division*: And that so much of the said Fen Lands and Low Grounds as is contained in the following Boundary, beginning at *Fenton Load*, by and along the North-east Side of *Pagitt's Closes* to *Fenton Green*, and across *Fenton Green* to *Fenton Meadow*, and along the North-east Side thereof to *Fenton Drove*, and across the same to *Pidley Meadow*, and along the North Side thereof to *Pidky Drove*, and across the said Drove to a Ground late *Cope's*, now in the Occupation of *Widow Barnes*; and from thence along the North and East Sides of the said Ground to the Ground of *Edward Holder*, and along the East Side thereof to two Closes of *John Ibbot's*; from thence along the East and South Sides thereof to the Bottom of *Fern Hill* to *Somerham Low Wood Corner*; and from thence along the said Wood to *College Closes*, by and along the High Land Skirts thereof to certain Pieces of Land called *Land Floods*, and by and along the South-east Side of the same to *Somerham Meadow Dike*, and by and along the said Dike to the Low Lands of *Thomas Day* Esquire, and by and along the High Land Skirts of the same to a certain Drove called *Rumball's Drove*, and across the same to a certain Ditch called *Slyer Ditch*, and along the South-west Side thereof to *Parkhill Lot Side*, and along the East Side of the same to a Dike between the Lands of *John Leeds* and *James Mason*, and along the said Dike to *Long Drove*, and along the West Side thereof to *Cross Drove*, and across the said Drove to certain Lands called *Cross Lakes*, and along the North Side thereof to certain Low Lands belonging to *Thomas Day* Esquire, and by and along the High Land Skirts of the same to a Dike between two Lots of Land belonging to *Bartholomew Ibbot*, and along the said Dike to *Long Drove* aforesaid, and across the same to a Ditch between the Lands of *John Thomson* Esquire on the South Side and the Lands of *John Rumball Leeds* and *James Mason* on the North Side, and along the said Ditch to the *Somerham Turnpike Road*, and across the same to the Dike which divides the Land called *The West Water* and the said Road, and along the same Ditch to *Chatteris Ferry*, and by and along the Ditch on the East Side of the said Road to *Somerham Town*, and back again by the said Ditch to *Chatteris Ferry*, the House of *William Grant*; and from thence by and along the High Land Skirts of *Key's Farm*, and from thence by the Skirts of the High Land in *Chatteris Acre Fen* to *Pincham's Holt*; and from thence along the High Land Skirts of *Chatteris Common* to *Hunnisham Ford*; from thence to the East Corner of a Piece of Land in *Westmoor*, the Property of *Ann Moule*, late *Doyley's*; and from thence along the Outring Ditch between *Westmoor* and *Beezling's District* and a certain Part of *Chatteris Common* called *Hive End Burrows* and the *Acre Fen* to the *West Water*, and by and along the *West Water* to *Fenton Load*, and along *Fenton Load* next the *Three Hundred Acre Farm* to *Warboys High Fen*, and by and along the same to *New Pasture*, the *Cow Common*, and to *Pagitt's Closes*, and also from a certain Place on the South Bank of the *Forty Foot River*, adjoining the North-east Corner of *Westmoor* and *Beezling's District* to *Carter's Bridge*; and from thence by the Skirts of *Badney Hill* and *Curf Common* to *Wimbleton Leam* near *Slade Load*; and from thence along by the Skirts of the High Land of certain Parts of *Chatteris Common* called *Under Northby*; and from thence round the Skirts of the High Land in *Birch Fen* and *Campole*; and from thence

thence by the Skirts of the High Land on the West Side of *Langwood Hill*, and by the Skirts of a certain Piece of High Land of *Joseph James to the Forty Foot Bank*, and along the same Bank on the South Side of the said River to *Carter's Bridge* aforesaid, shall be and be called *The Lower District*.

V. And be it further enacted, That all the said several Fen Lands and Low Grounds, so described as aforesaid, shall be and are hereby divided into five Districts with respect to draining the same; that is to say, That all those Fen Lands and Low Grounds, lying within the Parish of *Warboys* aforesaid, beginning at and from *Puddock Drove Dike or Drain*, and from thence along the Ditch between the Lands of *John Fleming Esquire* and *Mistress Kerrich* to a certain Piece of Land called *The West Water*, and along by the Side of the said *West Water* to a certain Drain commonly called *The Fourteen Feet Drain*, along between the Lands of *Mistress Kerrich* and *Warboys High Fen* to the Lands of *Sir Robert Bernard*, and between the said Farms and the High Fen to the Lands of *William Fellowes Esquire* to the Lands of *Richard Scrimshire Esquire*, and late *Joseph Sherwood Esquire*, between the *Four Five Hundred Acre Furms* and *Warboys High Fen* to the Corner of *Broad Pool*, then along the South Side of the same Lands next *Broad Pool* and the *Turf Fen* to *Puddock Drove*, and up to the Bank in the said *Drove* belonging to a certain District in the Parish of *Ramsay*, called *Ramsay First District*; and from thence along by the East Side of *Puddock Drove* up to the *Forty Foot River or Drain*, and all the Lands and Grounds lying within such Boundaries, containing, by Estimation, two thousand Acres, or thereabouts, shall be and be called *The First District or Division for Drainage*: And that all those Fen Lands and Low Grounds, lying within the several Parishes of *Chatteris* and *Doddington* aforesaid, being Part of the Fen Lands and Low Grounds comprised or mentioned in a certain Act of Parliament, made and passed in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of Sutton, Mepal, Witcham, Chatteris, Doddington, and a Place called Byal Fen, in the Isle of Ely, and County of Cambridge, and also in the Parishes of Somertham and Pidley with Fenton, in the County of Huntington*; (that is to say,) Beginning at and from the North east Corner of *Westmoor* and *Beezling's District*, in *Chatteris* and *Doddington* aforesaid, near the *Forty Foot River or Drain* and *Chatteris Common*; and from thence along by a Part of *Chatteris Common* called *Curf*; and from thence abutting upon and against Land called *Willy* to the End of certain Land next adjoining to a Place called *Flive End Burrows*, now in Possession of *Ann Moule*; and from thence along by the Outring Ditch of certain other Lands, now in Possession of the said *Ann Moule*, *Kempton*, *Joseph Brown*, *John Gardner Esquire*, and others, to the Division Dike which parts the said Lands and a certain Common called *Chatteris Mow Fen* otherwise *Acre Fen*; and from thence along by the Outring Ditch next the said *Mow Fen* otherwise *Acre Fen* to a Piece of Land formerly called *The West Water* otherwise *The Old West Water*, and along by the said *West Water* to certain Lands of *Henry Peyton Esquire*; and from thence by and along the South-west Side of the said Lands of the said *Henry Peyton* to the North-west End of the said Lands of the said *Henry Peyton*, and across the Ditch which divides the said Lands and the Lands of *Matthew Wyldbore Esquire*, up to the Bank on the Land of the said *Matthew Wyldbore*, and then by and along the North-east Side of the said Lands of the said *Henry Peyton* to the South-west Corner of a certain Piece of Land of *William Skeeles*; and from thence along by the Ditch on the East Side of a certain *Drove* called *Beezling's Drove* to the aforesaid Drain called *The Forty Foot River or Drain*; and from thence along by the said River or Drain to the aforesaid North-east Corner of the said *Westmoor* and *Beezling's District* near *Chatteris Common* aforesaid, and all the Lands and Grounds lying within such Boundaries, containing, by Estimation, one thousand and fifty Acres, or thereabouts, and which said Lands and Grounds are herein-after made the second District of the Lands and Grounds intended by this Act to be drained and preserved, (except only and always excluding and reserving thereout three Acres of Land, now in the Possession of *John Gardner Esquire*, lying next a certain Common called *Under Willy*, and within the Boundaries of the said second District, and four Acres of Land now in the Possession of *Ann Moule*, lying next the said Common, and within the Boundaries aforesaid, and which said two Pieces of Land were exempted and excluded from and out of the said second District, in and by the before-mentioned Act of Parliament, and are not hereby intended to be comprised therein, or made Part thereof, or to be subject or liable to be taxed, rated, or assessed thereto, by virtue of this present Act, or otherwise), shall be and be called *The Second District or Division for Drainage*: And that all those Fen Lands, Low Grounds, and Commons, lying within the Parish of *Warboys* aforesaid, beginning at and from the End of the Drain called *The Fourteen Feet Drain*, next to the Lands of *Mistress Kerrich*, and along the said Drain next to the *West Water* to the *Three Hundred Acre Farm*, and by and along the Division Dike between the said *three hundred Acre Farm* and *Warboys High Fen* to the Bank herein-after directed to be made on the North-west Side of *Fenton Load*, and by and along the North-west Side of *Fenton Load* to *New Pasture*; and from thence by and along the said North-west Side of *Fenton Load* aforesaid to *Papitt's Clofes*, and from thence to the Hill on the North Side of *Wiltborne Ware*, and from the said Hill to *Fenton Load* aforesaid, and from *Fenton Load* to *Chappel Head*, and from *Chappel Head* along the High Land Skirts of the *Cow Common* to *Northern Ware*; and from thence along the High Land Skirts to *Puddock Drove*; and from the said *Drove* along the High Land Skirts to *Warboys Stray Pasture*; and from thence along the Ditch between the said *Stray Pasture* and *Warboys Common Stray Pasture* to the Lands of *Ellington Wright*, and along the Ditch between the said Lands and *Common Stray Pasture* across *Puddock Drove*, and along between *Puddock Drove* and *Warboys Turf Fen* to the Lands of *Richard Scrimshire* and late *Joseph Sherwood Esquire*; and from thence along the Drain between the said Lands and *Warboys Turf Fen* to *Broad Pool*; and from thence along the same Drain between the said Lands and *Broad Pool* to *Warboys High Fen*; and from thence along the Drain between the Lands of the said *Richard Scrimshire* and late *Joseph Sherwood* and the said High Fen to the Lands of *William Fellowes Esquire*, and along the same Drain to the Lands of *Sir Robert Bernard*; and from thence along the same Drain to Lands of *Mistress Kerrich*; and from thence along the same Drain to the Drain called *The fourteen Feet Drain*, next to the *West Water*; and from thence along the Ditch on

Lands divided into five Districts for Drainage. First District for draining.

Second District for draining.

Third District for draining.

Fourth District
for draining.

the South-west Side of the said *West Water* to the Bank on the South Side of the *Forty Foot River*; and from thence across the said *West Water*, and along the Ditch on the South-west Side of the said *West Water* to *Warboys High Fen*; and all the Fen Lands, Low Grounds, and Commons, lying within such Boundaries, containing, by Estimation, two thousand and two hundred Acres, or thereabouts, shall be and be called *The Third District or Division for Drainage*: And also all those Fen Lands and Low Grounds within the several Parishes of *Somerham, Colne, and Pidley with Fenton* aforesaid, being other Part of the several Fen Lands and Low Grounds comprised in the before-mentioned Act of Parliament, made and passed in the twenty-second Year of the Reign of his late Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of Sutton, Mepal, Witcham, Chatteris, Doddington, and a Place called Byal Fen, in the Isle of Ely, and County of Cambridge, and also in the Parishes of Somerham and Pidley with Fenton, in the County of Huntingdon*; and also in a certain other Act of Parliament, made and passed in the Thirty-second Year of the Reign of his late Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the Parishes of Somerham and Pidley with Fenton, and the Parish of Colne, in the County of Huntingdon*, beginning at and from a certain Place called *Fenton Willow*; and from thence by and along the South-west Side of Land called *The West Water*, to *Chatteris Ferry*; and from thence by and along the Dike which divides the said Land called *The West Water* and *Somerham Turnpike Road* to a Place called *Copen's Corner*; and from thence back again and across the said Turnpike Road to a Ditch between the Lands of *John Thomson Esquire* on the South Side and the Lands of *James Mason and John Rumball Leeds* on the North Side, and along the said Ditch to *Long Drove*, and across the said Drove to a Dike between two Lots of Land belonging to *Bartholomew Ibbott*, and along the said Dike to the Low Lands of *Thomas Day Esquire*, round the High Land Skirts of the same to *Cross Drove*, at the upper End of certain Lands called *Cross Lakes*, and along the South Side of the said Drove to *Long Drove* aforesaid, and along the West Side thereof to a Dike between the Lands of *James Mason and John Leeds*, and along the same to *Parkhill Lot Side*, and from thence to a certain Ditch called *Slyer Ditch*, and by and along the South-west Side thereof to a Drove called *Rumball's Drove*, and across the said Drove to the Low Lands of *Thomas Day Esquire*, and round by the High Land Skirts of the same to *Somerham Meadow Dike*, and by and along the said Dike to certain Lands called *Land Floods*, and by and along the South-east Side thereof to *College Closes*, and along the High Land Skirts of the same to a Place known by the Name of *Somerham Low Wood Corner*; and from thence along *Somerham Low Wood*; and from thence along by the Bottom of *Fernhill* to two Closes or Grounds of *John Ibbott*, and along by the South and East Sides thereof to the Ground of *Edward Holder*, and along the East Side of the same to a Ground late *Cope's*, now in the Occupation of the Widow *Barnes*, and along the East and North Sides of the said Ground to *Pidley Meadow*, and across the Drove at the End of the said Meadow; and from thence by and along the North Side of *Pidley Meadow* to the End thereof, and across a certain Drove called *Fenton Drove* to *Fenton Meadow*, and by and along the East and North-east Side of *Fenton Meadow* to *Fenton Green*, and across *Fenton Green* to *Pagitt's Closes*, and by and along the North-east Side of the said Closes to *Fenton Gull*; and from thence along the South-east Side of *Fenton Gull* to *Fenton Load*, and by and along the South-east Side of *Fenton Load* to *Fenton Willow*, and all the Fen Lands and Low Grounds lying within such Boundaries, containing, by Estimation, two thousand seven hundred Acres, or thereabouts, shall be and be called *The Fourth District or Division for Drainage*: And that all those Fen Lands, Low Grounds, and Commons, within the Parish of *Chatteris* aforesaid, being Part of the Fen Lands and Low Grounds comprised or mentioned in a certain Act of Parliament, made in the Thirty-first Year of the Reign of his late Majesty King *George the Second*, intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Parishes of Chatteris, and Doddington in the Isle of Ely, in the County of Cambridge*; (that is to say,) Beginning at and from a certain Place in *Chatteris* aforesaid called *Slade Gate* otherwise *Curf Gate*; and from thence by or along the aforesaid Drain called *The twenty Feet Drain* up to a certain Common in *Chatteris* aforesaid called *Curf Common*; and from thence by or along the High Land Skirts of the said Common to a certain Bridge called *Carter's Bridge*, and from the said Bridge by and along the South-west Side of the *Forty Foot River* or Drain to the Hard Lands at *Horseway*; and from thence by and along the Skirts of the Hard Lands on the West Side of *Langwood Hill*; and from thence by and along the Skirts of the Hard Lands round *Campole Birch Fen* and *Northey*; and from thence along the Hard Lands up to *Slade* or *Curf Gate* aforesaid, and also from the Skirts of the High Land near *Hunnesham Ford* in *Chatteris* aforesaid, by and along the Skirts of the High Land to *Pincham's Holt*; and from thence by and along the Skirts of the High Land to *Key's Corner*; and from thence by and along the Skirts of the High Lands in *Key's Farm* to the Turnpike Road near the Ferry Farm-house in *Chatteris*, now in the Occupation of *William Grant*; and from thence by and along the Turnpike Road to *Chatteris Ferry Toll-gate*; and from thence by and along the North-east Side of the *West Water*, to the South-west Corner of the aforesaid Second District called *Westmoor* and *Beezling's*; and from thence by and along the Outring or Division Ditch which parts the said Second District and *Chatteris Acre Fen* to a certain Place called *Hive End Burrows*; and from thence by the Outring or Division Ditch which Parts the said Lands called *Hive End Burrows* and the said Second District to the Hard Lands near a certain Place called *The Wamb*; and from thence by and along the Skirts of the High Lands to *Hunnesham Ford* aforesaid, and all the Lands and Low Grounds lying within such Boundaries, containing, by Estimation, two thousand four hundred Acres, or thereabouts, shall be and be called *The Fifth District or Division for Drainage*.

Fifth District
for draining.

Commissioners
for the general
Embankment.

VI. And it is hereby further enacted by the Authority aforesaid, That the several Persons herein-after mentioned shall be and are hereby constituted and appointed Commissioners for executing and effecting the Powers, Authorities, and Purposes, of this present Act within the said Upper District, so far as the same relates to the embanking and keeping in Repair the several outward Banks, beginning at *Bury Bridge*, along the Bank called *Northey Bank*, to the *Stillyard House* in *Ramsey*, and from a certain Bridge in *Ramsey* aforesaid

said called *The Forty Foot Bridge*, along the South Bank of *The Forty Foot River* to *Puttock's Bridge*, and still along the said *Forty Foot Bank* to the North-east Corner of *Westmoor* and *Beezling's District*, in the Parish of *Doddington*; (that is to say), the Lord or Lords, Lady or Ladies, of the several Manors of *Ramsay*, *Bury*, *Wislow*, *Warboys*, *Chatteris-Ramsay*, *Doddington*, *Little Ravely*, *Broughton*, *Old Hurst*, *Woodhurst*, *Saint Ives*, and *Houghton with Witton*, *John Leman* Esquire, and his Heirs, and in their Absence, his, her, or their several and respective Agents, the Rectors and Vicars of *Warboys* and *Doddington*, *Little Ravely*, *Broughton*, *Old Hurst*, *Woodhurst*, *Saint Ives*, and *Houghton with Witton*, for the Time being; and each and every Owner for the Time being of two Houses, having Right of Common in *Warboys High Fen*, or of ten Acres of Several Land lying within the Limits of the said Upper District, and subject to be taxed by virtue of this Act towards the Embankment of the same, as aforesaid: And that the several Persons herein-after mentioned, nominated and appointed, and their Successors, to be elected as herein-after directed, shall be and are hereby constituted and appointed Commissioners for executing and effecting the Powers, Authorities, and Purposes, of this present Act within the said Lower District, so far as the same relates to the embanking and keeping in Repair the several outward or boundary Banks, from the North-east Corner of *Westmoor* and *Beezling's District* aforesaid, along the South Bank of the said *Forty Foot River* to *Carter's Bridge*; and from thence to *Horsfway*, and the Banks on each Side of *Wimblington Leam* to *Slade Load*, and the Banks on each Side the Drain commonly called *The twenty Foot*, from *Slade Load* aforesaid to *Fenton Willow*, and the Bank from thence along the South-east Side of *Fenton Load* to *Pagitt's Clases*, and from the Farm-house of *William Grant*, called *Chatteris Ferry-house*, by and along the East Side of the Turnpike Road to *Somersham Town*; (that is to say,) the Lord or Lords, Lady or Ladies, of the several Manors of *Chatteris-Ramsay*, *Somersham*, and *Colne*, and *Dingley-Askham* Esquire, *John Cole* Esquire, *John Cole junior*, Esquire, *John Thomson* Esquire, *William Pagitt* Esquire, *Christopher Milborne* Esquire, *Charles Leeds*, *William Margetts*, the Agent of *Elizabeth South* Spinster, *James Hutchinson*, *John Newnham* Esquire, *John Leman* Esquire, *John Waddington* Esquire, *John Gardner* Esquire, *Daniel Fryer*, *John Bateman*, *Richard Camps*, *William Purrant*, *Thomas Smith*, the Agent of Mistrels *Ann Moule* Spinster, *Robert Grimditch*, *Edward Ruffon*, *John Warth junior*, *Thomas Skeeles*, and *Samuel Wells*; and in his, their, or any of their Absence, his, their, or any of their several and respective Agents.

VII. Provided also, That there be not at any one Time more or less than thirty Commissioners for the said Lower District, including such Lords and Ladies of Manors, or their several and respective Agents as aforesaid, fourteen of whom shall be Lords or Ladies of the Manor of *Chatteris-Ramsay* aforesaid, or their several and respective Agents, or Owners of one or more commonable Messuages or Tofts, having Right of Common in *Chatteris Common*; fourteen shall be Lords or Ladies of the several Manors of *Somersham* and *Colne*, or their several and respective Agents or Owners of six Acres of Several Land lying or comprised in the aforesaid Fourth District for draining; and the remaining two shall be Owners of or Agents for the said Farm called *The three Hundred Acre Farm*.

Number of Commissioners for the Lower District.

VIII. And it is hereby further enacted, That from Time to Time, and as often as any Commissioner, hereby nominated for the said Lower District as aforesaid, shall die, or become disqualified, it shall and may be lawful for the surviving or remaining Commissioners acting by virtue of the like Qualification as the Commissioner who shall so die or become disqualified, did act, or the major Part of them assembled at a Meeting for that Purpose, to elect one other Commissioner in the Stead of the Commissioner dying, or becoming disqualified, from Time to Time, as often as Occasion shall require; and every Commissioner so elected shall, from Time to Time, have the same Authority for executing this Act as the Commissioner in whose Stead he shall be elected was invested with.

Commissioners dying, new ones to be chosen.

IX. Provided always, and be it enacted by the Authority aforesaid, That the Lord or Lords, Lady or Ladies, of the said Manors of *Chatteris-Ramsay*, *Somersham*, and *Colne*, for the Time being, and, in their Absence, their respective Agents, shall be at all Times hereafter Commissioners for the executing and effecting the Powers, Authorities, and Purposes, of this present Act, within the said Lower District; so far as the same relates to the embanking and keeping in Repair the said several outward or boundary Banks of the same.

Perpetual Commissioners.

X. Provided also, and be it enacted by the Authority aforesaid, That no Person hereby appointed, or hereafter to be elected, except only such Lords or Ladies of such Manors, or their Agents, as aforesaid, shall be enabled to act as a Commissioner for the said Lower District, unless such Person so appointed or to be elected a Commissioner shall be possessed of one commonable Messuage, having Right of Common within the said Lower District, or of six Acres of Several Land lying or comprised within the said District.

Qualification of Commissioners.

XI. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person who is the real Owner of more than two commonable Houses, having Right of Common in *Warboys High Fen*, or ten Acres of Several Land lying within the said Upper District for embanking, and paying Taxes thereto, and every such respective Owner in the said Upper District, is hereby authorized and empowered to appoint, by Writing, under his or her Hand and Seal, from Time to Time, and for such Time as he or she shall think proper, one Commissioner for every such commonable House, or every fifteen Acres of Several Land, which he, she, or they, shall be possessed of, over and above the said two commonable Houses, or ten Acres of such Several taxable Lands, lying within the Limits of the said Upper District, such Deputy or Deputies for the said Upper District to be the real Owner or Owners of one House, having Right of Common in *Warboys High Fen*, or four Acres of taxable Several Lands within the said Upper District, over and above the Commissioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with respect to the embanking and keeping in Repair the said several outward or boundary Banks of the said Upper District.

Real Owner of two commonable Houses, or ten Acres of Several Land in Upper District, may appoint a Commissioner for every House, and 15 Acres, over and above which he possesseth.

XII. And, in order that a sufficient Number of Commissioners may be appointed for carrying this Act into Execution for the said five Districts or Divisions, with respect to the draining the same, be it enacted by the Authority aforesaid, That each and every Owner for the Time being respectively of forty

Commissioners for draining.

Commissioners for five Districts;

Commissioners
for Second Dis-
trict.

—Third Dis-
trict;

—Fourth Dis-
trict;

—Fifth District.

Every Owner of
40 Acres of
taxable Land in
the first District
may appoint a
Commissioner
for every 50
Acres over and
above which he
possesses.

Every Owner of
30 Acres within
the second Dis-
trict may ap-
point a Commis-
sioner for every
50 Acres over
and above which
he possesses.

each Deputy to
be Owner, &c.
of ten Acres in
second District.

Lords and La-
dies of Manors
of Warboys,
Little Ravelly,
&c. in the third
District, may
appoint Com-
missioners, &c.

Every Owner
of 40 Acres in
the fourth Dis-
trict may ap-
point a Commis-
sioner for every
50 Acres over
and above which
he possesses;

Acres of Land, in his or their own Right, subject to be taxed by virtue of this Act, and lying within the said first District or Division, shall be, is and are hereby appointed Commissioners for the said first District or Division, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with respect to draining the said first District; and that each and every Owner for the Time being respectively of thirty Acres of Land in his or their own Right, subject to be taxed by virtue of this Act, and lying respectively within the said second District or Division, shall be, is and are hereby appointed Commissioners for the said second District or Division, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with respect to the draining of the said second District; and that the Lords and Ladies of the Manors, and also the Rectors and Vicars of *Warboys, Little Ravelly, Broughton, Oldhurst, Woodhurst, Saint Ives, and Houghton with Witton* for the Time being, *John Leman* Esquire, and his Heirs, and each and every Owner for the Time being respectively of two Houses having Right of Common within the said third District, shall be, is and are hereby appointed Commissioners for the said third District or Division, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with respect to the draining of the said third District; and that in Consideration of the Rights of the *Warboys* Commissioners upon the three Commons, called *New Pasture, The Cow Common, and The Stray Pasture*, the said *Warboys* Commissioners, and each of them, shall have, and are hereby declared to have two Votes, or a double Vote, at all Meetings held by virtue of this Act for the Purpose of Drainage within the said third District; and that the Lords and Ladies for the Time being, of the several Manors of *Somersham and Colne*, and their several and respective Agents, and each and every Owner for the Time being respectively of forty Acres of Land in his or their own Right, subject to be taxed by virtue of this Act, and lying respectively within the said fourth District, shall be, is and are hereby appointed Commissioners for the said fourth District or Division, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with respect to the draining of the said fourth District; and that the Lords and Ladies for the Time being of the Manors of *Chatteris-Ramsay, Bartletts, Tindals, and Lifes*, the Master of *Corpus Christi College in Cambridge*, the Vicar of *Chatteris* for the Time being, and their respective Agents, and each and every Owner for the Time being respectively of two Messuages or Tofs, having Right of Common in *Chatteris* Commons, or of twenty Acres of Several Land, in their own Right, subject to be taxed by virtue of this Act, and lying respectively within the said fifth District or Division, shall be and are hereby appointed Commissioners for the said fifth District or Division, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with respect to the draining of the said fifth District.

XIII. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person who is the real Owner of forty Acres of taxable Land lying within the said first District, and every such respective Owner is hereby authorized and empowered to appoint, by Writing under his or her Hand and Seal, from Time to Time, and for such Time or Times as he or she shall think proper, one Commissioner for every fifty Acres which he or she shall be possessed of, over and above the aforesaid forty Acres of taxable Lands, lying within the said first District, over and above the Commissioners herein-before appointed for the putting this Act, and all the Powers and Authorities herein contained, into Execution, with respect to draining the same; and such respective Commissioners, so nominated and appointed as aforesaid, shall be Commissioners to all Intents and Purposes for carrying this Act into Execution, so far as the same relates to the draining of the said first District: And that it shall and may be lawful for any Person who is the real Owner of thirty Acres of taxable Land, lying within the said second District, and every such respective Owner is hereby authorized and empowered to appoint, by Writing under his Hand and Seal, from Time to Time, and for such Time or Times as he or she shall think proper, one Commissioner for every fifty Acres which he or she shall be possessed of over and above the aforesaid thirty Acres of taxable Land, lying within the said second District, over and above the Commissioners herein-before appointed for the putting this Act, and all the Powers and Authorities herein contained, into Execution, with respect to draining the same; such respective Deputies to be the real Owners or Occupiers of ten Acres of taxable Land lying in the said second District; and such respective Deputies, so nominated and appointed as aforesaid, shall be Commissioners to all Intents and Purposes, for putting this Act, and all the Powers and Authorities therein contained, into Execution, so far as the same relates to the Drainage of the said second District: And that it shall and may be lawful for the Lords and Ladies of the Manors of *Warboys, Little Ravelly, Broughton, Old Hurst, Woodhurst, Saint Ives, and Houghton with Witton*, for the Time being, *John Leman* Esquire, and his Heirs, or their respective Agents, and any Person who is the real Owner for the Time being of two Houses, having Right of Common within the said third District, and each and every of them, is hereby authorized and empowered to appoint, by Writing under his or her Hand and Seal, from Time to Time, and for all such Time or Times as he or she shall think proper, one Commissioner for every House, having Right of Common in the said third District, which he or she shall be possessed of, over and above the aforesaid first-mentioned two Houses having Right of Common in the said third District; which Deputy shall be the real Owner of one commonable House in *Warboys*, or some of the Towns having Right of Common upon *Warboys High Fen*, over and above the Commissioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with respect to the draining of the said District; and such respective Deputies, so nominated and appointed as aforesaid, shall be Commissioners to all Intents and Purposes for carrying this Act into Execution, so far as the same relates to the Drainage of the said third District: And that it shall and may be lawful for any Person or Persons, who is or are the Owner or Owners of forty Acres of taxable Land lying within the said fourth District, and every such respective Owner and Owners is and are hereby authorized and empowered to appoint, by Writing under his, her, or their Hand and Seal, or Hands and Seals, from Time to Time, and for such Time or Times as he, she, or they, shall think proper, one Commissioner for every fifty Acres which he, she, or they, shall be possessed of, over and above the aforesaid forty Acres of taxable Land lying within the said fourth District, over and above the Commissioners herein-

herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with respect to draining the same; such respective Deputies to be the real Owners or Occupiers of ten Acres of taxable Land lying in the said fourth District, or being the respective Agents of the Lords or Ladies of the Manors of *Colne* and *Somersham*, or of *Christopher Milborne* Esquire, *Rebecca Milborne* Widow, the Honourable Mistress *Jane Hyde*, and *James Hutchinson*; and such Deputies so-nominated and appointed as aforesaid, shall be Commissioners to all Intents and Purposes for putting this Act into Execution, so far as the same relates to the Drainage of the said fourth District: And that it shall and may be lawful for any Person who is the real Owner of two Messuages or Tofts, having Right of Common in *Chatteris Commons*, or the real Owner of twenty Acres of Several taxable Land lying within the said fifth District; and every such respective Owner is hereby authorised and impowered, by Writing under his or her Hand and Seal, from Time to Time, and for all such Times as he or she shall think proper, to appoint one Commissioner for every two commonable Messuages or Tofts over and above the Number of two, and for every twenty Acres of Land which he or she shall be possessed of, over and above such twenty Acres as aforesaid, over and above the Commissioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution; every such Deputy to be the real Owner of one commonable Messuage or Toft, having Right of Common in *Chatteris Common* aforesaid; and which Deputies, so nominated and appointed as aforesaid, shall be Commissioners, to all Intents and Purposes, for carrying this Act into Execution, so far as the same relates to the Drainage of the said fifth District: The Names of the Deputies for the aforesaid first, second, third, fourth, and fifth Districts to be enrolled with the Clerks for the said Districts respectively, one Month at least before they shall be impowered to act in the Execution of this Act, except such Deputy as shall be appointed previous to the first Meeting after the passing this Act; which Deputies, so to be appointed as aforesaid, may act at such first Meeting, on producing their Appointment.

every such Deputy to be Owner of 10 Acres.

Every Owner of two Messuages, or 20 Acres, to appoint a Commissioner for every two Messuages and 20 Acres over and above which he possess; every Deputy to be Owner of one Messuage, &c. Name of the Deputies for the five Districts to be enrolled one Month before they act.

Time and Place of Meetings of Commissioners.

Power of Adjournment, &c. Commissioners to rate and assess Upper and Lower Districts,

not to exceed 2s. per Acre in Upper District.

nor 3s. per Acre in Lower District.

Taxes to be paid at Places Commissioners shall appoint, &c.

Charges of this Act how to be paid.

XIV. And be it further enacted by the Authority aforesaid, That the Commissioners hereby nominated or appointed for embanking the said Upper and Lower Districts respectively, or their Successors, or any five or more of them, shall meet once in every Year, in Manner following; to wit, for the Upper District alternately at *Ramsay*, *Warboys*, and *Chatteris* aforesaid; and for the Lower District alternately at *Chatteris* and *Somersham* aforesaid: The first Meeting of the said Commissioners for the said Upper District to be held at the *George Inn* in *Ramsay* aforesaid, on the third *Thursday* next after the passing of this Act; and for the said Lower District at *Chatteris* aforesaid, on the fourth *Thursday* after the passing of this Act: And that every other yearly Meeting shall be held for the said Upper District on the first *Tuesday* after the fifth Day of *April* in every Year, and for the said Lower District on the first *Thursday* after the fifth Day of *April* in every Year: And the said Commissioners may from Time to Time adjourn themselves, and meet again pursuant to such Adjournments, as often as they shall think proper; and then and there from Time to Time, shall assess, rate, tax, and charge, all and singular the Lands and Grounds situate and being within the said Upper and Lower Districts, and subject or liable to be taxed or rated thereto by virtue of this Act, by and with equal and proportionable yearly Rates, Taxes, or Sums of Money at the Discretion of the said Commissioners, or the major Part of them that shall be present at any such yearly General Meetings, as aforesaid; so that such Rate, Tax, or Sum of Money, do not exceed in any one Year the Sum of one Shilling for every Acre of Land or Ground within the said Upper District, and subject and liable to be taxed or rated thereto by virtue of this Act, and so in Proportion for every greater or less Quantity; and for every Acre of Land or Ground in the said Lower District, and subject or liable to be taxed or rated thereto, any Sum not exceeding three Shillings in any one Year, and so in Proportion for any greater or less Quantity than an Acre; and so that no Part of the said Lands and Grounds in the said respective Districts be at any Time charged, by virtue of this Act, with any greater or less Rate or Tax than the rest of the said Lands within such respective District are or shall be charged with: Which said Rates, Taxes, and Sums of Money, to be taxed and assessed as aforesaid, shall be paid by the respective Owner or Owners, Occupier or Occupiers of the said Low Lands and Fen Grounds, at the Place of Abode of such Person or Persons as the said Commissioners, or the major Part of them who shall be present at any such General Meeting, shall order, direct, or appoint to collect and receive the same: The first Payment thereof for the said Upper and Lower Districts respectively to be made within two Months next after the passing of this Act, and every other yearly Payment to be made by two equal Half-yearly Payments; that is to say, for the said Upper District, on the first *Tuesday* in *May* and the last *Tuesday* in *September*; and for the said Lower District, on the first *Thursday* in *May* and the last *Thursday* in *September* in each and every Year; and which said Rates, Taxes, and Sums of Money, so to be taxed and assessed as aforesaid in each respective District, shall be applied and disposed of by the said Commissioners for the said respective Districts, for and towards the repairing, amending, supporting, and keeping in good and sufficient Repair, the said several outward or boundary Banks, lying or being within such Upper and Lower Districts respectively (except only such Parts thereof as are herein-after directed to be done at the joint Expence of the Proprietors of Lands within the said Lower District, and the said Farm called *The Three-Hundred Acre Farm*), and for no other Use, Intent, or Purpose whatsoever.

XV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said Upper and Lower Districts for embanking respectively, or any five or more of them, and they are hereby respectively authorised and required, in the first Year after the passing of this Act, to assess, rate, tax, and charge all and singular the Lands and Grounds lying within the said Upper and Lower Districts respectively, and subject or liable to be rated or taxed by virtue of this Act, by and with an equal Rate, Tax, or Sum of one Shilling and Sixpence per Acre (over and above all other Taxes herein-before or herein-after directed to be raised, levied, or assessed, upon or within the said Upper and Lower Districts respectively), for every Acre of Land or Ground being within the said respective Districts, or subject or liable to be taxed or rated thereto by virtue of this Act, and so in Proportion for every greater

greater or less Quantity; and which said Rates, Taxes, or Sums of Money so to be raised, levied and assessed, as aforesaid, in the said Upper and Lower Districts respectively, shall be applied and disposed of by the said Commissioners, for and towards the defraying their respective equal Shares and Proportions of the Expences of obtaining this Act, (that is to say) by an equal Acre-shot Expence, to be paid according and in Proportion to the Number of Acres contained in each respective District; and in case there shall be any Overplus then remaining, the same shall be applied and disposed of by the Commissioners for each respective District, in such Manner, and for such Purposes, as the Taxes or Assessments, directed to be raised upon or within the said Upper and Lower Districts respectively, shall be applied and disposed of, and to and for none other Use, Intent, or Purpose whatsoever.

Power to lay 6d. an Acre more for Payment of the Charges of the Act, if necessary.

XVI. Provided always, and be it further enacted, That in case the said Rate, Tax, or Sum of one Shilling and Sixpence *per Acre*, by this Act applicable towards the Payment of the Charges and Expences of obtaining this Act, shall not be sufficient for that Purpose, it shall and may be lawful to and for the said Commissioners for the said Upper and Lower Districts for embanking, or any five or more of them, and they are hereby authorised and impowered to assess, rate, tax, and charge all the said Lands and Grounds with a further equal Rate, Tax, or Sum, not exceeding Sixpence *per Acre*, for every Acre of the said Lands or Grounds to be applied and disposed of as the said Rate, Tax, or Sum of one Shilling and Sixpence *per Acre* is before directed to be applied.

Time and Place of Meetings of Commissioners for draining.

XVII. And be it further enacted by the Authority aforesaid, That the Commissioners hereby nominated and appointed for the Drainage of the said five Districts or Divisions respectively, or their Successors, or any five or more of them, shall meet once in every Year, in Manner following; to wit, For the first District alternately at *Ramsay* and *Warboys* aforesaid; for the second District at *Chatteris* aforesaid; for the third District at *Warboys*; for the fourth District at *Somersham* aforesaid; and for the fifth District at *Chatteris* aforesaid: The first Meeting of the said Commissioners for the said first District to be held at *Ramsay* aforesaid, on the *Saturday* after the third *Thursday* after the passing of this Act; and for the second District at *Chatteris* aforesaid, on the *Monday* after the third *Thursday* after the passing of this Act; and for the third District at *Warboys* aforesaid, on the *Tuesday* after the third *Thursday* after the passing of this Act; and for the fourth District at *Somersham* aforesaid, on the *Wednesday* after the third *Thursday* after the passing of this Act; and for the fifth District at *Chatteris* aforesaid, on the *Friday* after the fourth *Thursday* after the passing of this Act: And every yearly Meeting for the said first District shall be held on the twenty-first Day of *March*, and for the said second District on the twenty-second Day of *March*, and for the said third District on the twenty-third Day of *March*, and for the said fourth District on the twenty-fourth Day of *March*, and for the said fifth District on the twenty-fifth Day of *March*, in each Year, except any of the said Days shall happen on a *Sunday*, in which Case, the said yearly Meetings shall be held on the Days following successively, in each and every Year, or at such other Time or Times as the said respective Commissioners, or any three or more of them, in the said first District, or any five or more of them, in any of the other said four Districts, shall see Cause or think convenient, pursuant to Notice in Writing for that Purpose, signed by any two or more of the Commissioners for each respective District, and to be affixed upon the Outside of the Church or Chapel Doors of such respective Parishes wherein the said respective Districts shall lie, ten Days at least before any such Meeting (except those appointed to be held for the said General yearly Meetings); and may, from Time to Time, adjourn themselves, and meet again pursuant to such Adjournments, or by Notice given, as often as they shall think proper.

Commissioners impowered to assess the Districts in certain Sums above the Sums directed to be levied on the Upper and Lower Districts.

XVIII. And it is hereby further enacted by the Authority aforesaid, That over and above the said several Rates and Taxes, herein-before authorised and directed to be levied and raised in the said Upper and Lower Districts respectively, for the general embanking of the same respectively, and such other general Works as are herein-before directed, and for defraying the Expences of obtaining this Act, it shall and may be lawful to and for the Commissioners of the said first District, or any three or more of them, and also for the Commissioners of the second, third, fourth, and fifth Districts respectively, or any five or more of them, who shall be present at such respective first Meeting after the passing of this Act, or any other yearly General Meeting as aforesaid for each respective District, then and there, from Time to Time, to assess, rate, tax, and charge, all and singular the Lands and Grounds lying within the said first, second, third, fourth, and fifth Districts or Divisions respectively, and subject or liable to be taxed or rated by virtue of this Act, by and with a proportionable yearly Rate, Tax, or Sum of Money, at the Discretion of the several and respective Commissioners for the Time being of and for the said first, second, third, fourth, and fifth Districts or Divisions respectively, or the major Part of them who shall be present at any such first Meeting, or such yearly General Meeting as aforesaid, so that such Rate, Tax, or Sum of Money, do not exceed, in any one Year, for every Acre of Land or Ground in the said first District or Division (except in the first Year after the passing this Act), the Sum of two Shillings, and so in Proportion for any greater or less Quantity; and for every Acre of Land or Ground in the said second District or Division in any one Year (except in the first Year after the passing of this Act), the Sum of three Shillings, and so in Proportion for every greater or less Quantity than an Acre; and for every Acre of Land or Ground in the said third District or Division the Sum of three Shillings, and so in Proportion for every greater or less Quantity than an Acre; and for every Acre of Land or Ground in the said fourth District or Division in any one Year, the Sum of three Shillings, and so in Proportion for every greater or less Quantity than an Acre; and for every Acre of Land or Ground in the said fifth District or Division in any one Year, the Sum of three Shillings, and so in Proportion for every greater or less Quantity than an Acre: Which said several yearly Rates or Taxes, so to be severally and respectively taxed and assessed by the several and respective Commissioners of such several Districts or Divisions respectively, as aforesaid, shall be paid by the Owners and Occupiers of the Lands or Grounds comprised in the said Districts or Divisions respectively, and hereby made subject or liable to be rated or taxed thereto, to such Person or Persons, at such Time or Times, and Place or Places, and in such Manner and Proportion, as the respective

Commissioners

Commissioners for the Time being of the said respective Districts, or the major Part of them that shall be present at any such Meeting as aforesaid, shall, from Time to Time, severally order, direct, and appoint the same; and shall, together with such Sums of Money as are herein-after directed to be borrowed by the Commissioners of any of the said respective Districts on the Credit of any of the said Rates or Taxes, be applied and disposed of by the said Commissioners of the said several Districts or Divisions, in and about the particular Works, Banks, Drains, Mills, Engines, Headings, Dams, and other Matters and Things necessary for draining each of the said several Districts or Divisions respectively, and not by this Act directed to be done by the Commissioners of the said Upper and Lower Districts for embanking, and to or for none other Use, Intent, or Purpose whatsoever: Provided, that the Rates and Taxes of each of the said Districts, and the Money which shall be borrowed on the Credit of any of them, be applied by the said respective Commissioners for each District separately, and not jointly.

XIX. And whereas, through the Insufficiency of the Rates and Taxes directed to be raised under or by virtue of the said recited Act of Parliament, made in the thirtieth Year of the Reign of his late Majesty King George the Second, for effectually draining and preserving the Lands and Grounds, therein called, known, or distinguished by the Name of *The First District*, several Debts have been incurred, and several large Sums of Money are now due and owing to divers Persons, over and above the Sums of Money in or by the said Act of Parliament authorised and directed to be borrowed upon the Credit of the said Rates and Taxes, and which said Debts, so incurred as aforesaid, cannot be paid off and discharged without the further Aid and Assistance of Parliament; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said several Persons who act, or shall hereafter act, as Commissioners for the said District, under or by virtue of the said Act of Parliament, made in the thirtieth Year of the Reign of his late Majesty King George the Second, or the major Part of them who shall be assembled at a Meeting for that Purpose (of which Meeting such Notice shall be given as is directed by the said Act to be given of other Meetings for the like Purposes), and they are hereby authorised and empowered, in the first Year after the passing of this present Act, to assess, rate, tax, and charge all and every the respective Owner and Owners, Occupier and Occupiers, of all and singular the Lands and Grounds situate and being within the said District, and subject or liable to be taxed or rated thereto under or by virtue of the said Act of Parliament, by and with an equal and proportionable Acre-rate, Tax, or Sum of two Shillings per Acre, and in the second Year one Shilling per Acre, and in the third Year one Shilling per Acre (over and above all other Taxes directed to be raised, levied, or assessed, upon or within the said District), for every Acre of Land or Ground lying within the said District, and subject or liable to be taxed or rated thereto by virtue of the said Act, and so in Proportion for every greater or less Quantity; and which said Rates, Taxes, or Sums of Money, so to be taxed and assessed as aforesaid in the said District, shall be applied and disposed of by the said Commissioners for and towards the completing and improving the Mill at *Ash Drain*, and also for erecting another Mill at the said *Ash Drain*, if necessary, and also the cleaning, widening, and deepening the said *Ash, Bury, and Wistow Fen Drains*, so as effectually to drain the Lands in *Bury and Wistow* which are taxable by the said Act, and also for repairing the other four Mills within the said District, so as effectually to drain all the Lands comprised therein, and then for and towards the Payment of all such Debts and Sums of Money as shall be then due or owing by them (except such Debts or Sums of Money as shall be due or owing upon or by virtue of any Mortgage or Security of the Taxes and Assessments of the said District) to any Person or Persons whatsoever, for, or by reason or means, or on account of any Materials found, or Work done, in or for the said District, or any other Matter or Thing relating thereto; and which said Rates or Taxes of two Shillings, one Shilling, and one Shilling per Acre, shall be raised, levied and paid, in the same Manner as such other Rates and Taxes are, under or by virtue of the said Act, directed to be raised, levied, and paid, and shall be subject to the same Penalties and Powers for recovering the same, in case of Non-payment, or any Default of Payment thereof.

XX. And for the more effectual draining and preserving of the several Fen Lands and Low Grounds lying within the Limits of the first and second Districts, intended to be drained by virtue of this Act, it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said first District, or any three or more of them, and also for the Commissioners of the said second District, or any five or more of them, who shall be present at the first Meeting after the passing of this Act, and they are hereby respectively authorised and empowered, in the first Year after the passing of this Act, and for such first Year only, to assess, rate, tax, and charge all and every the respective Owner and Owners, Occupier and Occupiers (being private Property), of all and singular the Lands and Grounds lying within the said first and second Districts respectively, and subject or liable to be taxed or rated by virtue of this Act, by and with an equal proportionable Rate, Tax, or Sum of Money, in each respective District (that is to say), the Sum of ten Shillings per Acre for every Acre of Land or Ground lying within the said first District, and so in Proportion for any greater or less Quantity; and for every Acre of Land or Ground lying within the said second District, the Sum of twenty Shillings per Acre, and so in Proportion for every greater or less Quantity; and which said Rates, Taxes, and Assessments, so to be raised, levied, and assessed, in the said first and second Districts respectively, in the said first Year as aforesaid, to be computed from the Day of the passing of this Act, shall be applied and disposed of by the said Commissioners for the said respective Districts in and about the particular Banks, Drains, Mills, Engines, Headings, Dams, and other Works and Things necessary for draining each of the said two Districts respectively, and not by this Act directed to be done by the Commissioners of the said Upper and Lower Districts for embanking; and also in the said second District, for and towards the Payment and Discharge of all such Debts or Sums of Money, as have been at any Time heretofore incurred, or are now due or owing by or from the said second District respectively.

Commissioners of Ramsey first District empowered to lay further Rates, for repairing of Mills, and for Payment of Debts.

Commissioners of first District empowered to lay a Tax of 10s. per Acre, and Commissioners of second District a Tax of 20s. per Acre, in the first Year.

Tenants for Life, Guardians, Trustees, &c. may charge their Lands for paying the Taxes;

and may mortgage or lease such Lands as a Security, &c.

Commissioners empowered to borrow Money upon the Credit of the Rates.

The Sums to be borrowed in each District.

Assignments to be numbered, but none to be made for any less Sum than 50l. in each District. Securities may be assigned.

Rates chargeable with the Payment of the Principal Money and Interest.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Tenant or Tenants for Life or Lives, Guardians, Husbands, Trustees, Committees, or Attornies, of any Infants, Lunatics, Idiots, Femmes-covert, Persons beyond the Seas, or otherwise incapable of acting for themselves, or for any Number of Years determinable upon Life or Lives, or other Contingencies, or for Trustees of any Charities, or any other Purpose whatsoever, by Writing under their Hands and Seals, from Time to Time, to charge such of their said Lands and Grounds, which are subject and liable to be taxed by this Act with the Sum of twenty Shillings per Acre for the first Year after the passing of this Act, with any Sum not exceeding the said Sum of twenty Shillings per Acre; and for securing the Payment of the said Sum or Sums of Money, with Interest for the same, to surrender, grant, mortgage, lease, or demise the Lands and Grounds so to be charged, unto such Person or Persons who shall advance and lend the same respectively, so as every such Surrender, Grant, or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered or assigned, when such Sum or Sums of Money thereby secured, with the Interest thereof, shall be fully satisfied and paid; and so as every such Surrender, Grant, or Demise, so to be made by any Tenant in Fee, for Life or Lives, or in Tail, or for Years determinable upon Contingencies, contains a Proviso, that the Persons intitled in Remainder or Reversion shall not, nor shall any Person be liable, on his, her, or their becoming seised or possessed of any such Lands or Grounds, to pay any further or larger Arrears of Interest than for one Half Year preceding the Time when the Title of such Possession shall accrue and commence; and that every such Surrender, Grant, Mortgage, Lease, or Demise, made in pursuance of this Act, shall be good, valid, and effectual in the Law for the Purposes thereby intended, notwithstanding the Want of a legal Title, or any Settlement, Will, Trust, Use, Remainder, Limitation, or other Incumbrances, of, upon, affecting, or concerning the same Grounds, Lands, and Premises, or any Part or Parts thereof then in being, or capable of taking Effect, to the contrary.

XXII. And, for the more easy and effectual carrying the Works in the said five Districts into Execution, and for draining and preserving the same, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of the said five Districts respectively, and they are hereby authorized and empowered to borrow, take up, or receive, any Sum or Sums of Money that they shall think proper, upon the Credit of the said Taxes, Rates, or Assessments within the same, and, by Writing, without Stamps, under their Hands and Seals, to mortgage, charge, assign, and convey or incur the said Taxes, Rates, or Assessments, so to be rated, assessed, and levied, upon or within the said five Districts respectively, with and for the Payment of the Sums so borrowed, with such Interest, at such Times, and with such Provisos and Conditions for Redemption, as shall be agreed upon; and that such Moneys shall be separately and distinctly borrowed by the Commissioners for each respective District, for the Use and Purpose of carrying on, supporting, and maintaining the Works of the said five Districts respectively, and effectually draining and preserving the same respectively, and to or for none other Use, Intent, or Purpose whatsoever.

XXIII. Provided always, and be it enacted by the Authority aforesaid, That no more than the respective Sums following shall be borrowed or owing at any one Time upon the Credit or Security of the Taxes or Assessments in the said respective Districts; (that is to say) In the first District, two thousand Pounds; in the second District, one thousand five hundred Pounds; in the third District, two thousand Pounds; in the fourth District, four thousand Pounds; and in the fifth District, two thousand Pounds: And that the Taxes or Assessments in each respective District (except such Taxes or Assessments as herein-before directed be raised and levied in the said first and second Districts in the first Year after the passing of this Act) shall not, during the Time any Principal or Interest Monies shall be due on the Securities thereof, be less than the respective full Sums herein-before authorized and empowered to be yearly rated, charged, and assessed, in or upon such Districts respectively.

XXIV. And be it further enacted, That all Mortgages or Assignments of the said Rates or Taxes, to be made by the said Commissioners in each respective District as aforesaid, shall be numbered, beginning with Number 1, and so proceeding in numerical Order; and that no Assignment of the Rates or Taxes in each of the said Districts shall be made for any lesser Sum than fifty Pounds in each respective District.

XXV. And it is hereby further enacted, That the said Mortgages and Securities shall and may be assignable and transferrable by Indorsement on the original Grant or Security, or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made shall, from and after the Time that the same is entered in a Book, to be kept for that Purpose by the Clerks or Treasurer to the Commissioners for each respective District, be well and sufficiently intitled to such Mortgage Monies and Interest, and all the Monies then due, or thereafter to grow due thereon; which Entries are hereby required to be made on Request, and producing such Assignment, and paying one Shilling to the Clerk or Treasurer to the said Commissioners for every such Entry; and such Assignee or Assignees, and every other Assignee or Assignees, shall and may, in like Manner, by Indorsement, or otherwise, assign and make over such Mortgage or Mortgages and Securities, so assigned as aforesaid, and so toties quoties, as Occasion shall require, every such Assignment or Transfer being entered into such Book as aforesaid.

XXVI. Provided always, and be it enacted, That the Rates or Taxes to be raised by virtue of this Act on the said Lands and Grounds in the said five Districts respectively. (except what shall be raised in the first and second District in the first Year after the passing of this Act, and also such Lands as may be inclosed by virtue of this Act, on Default of Payment of any of the said Rates or Taxes, and also except the Rate or Tax that shall be raised within the Lower District for embanking, and within the Three Hundred Acre Farm within the first Year after the passing of this Act for the Purpose of embanking), shall be chargeable with the Payment of the Principal Monies so to be borrowed by the said Commissioners as aforesaid,

aforsaid, and with the Interest of such Monies, from Time to Time, and shall vest in the Creditors, upon Default of Payment of such Principal Money and Interest, until the same, and every Part thereof, shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators, or Assigns respectively, shall have the same Powers, Rights, and Privileges of receiving and recovering the said Rates or Taxes, or the Rents and Profits of the said inclosed Lands, for or in respect of such Principal Monies and Interest, in case of Default in Payment thereof, as the said Commissioners respectively, and their respective Collectors and Receivers, could have had, in case such Principal Monies and Interest had been regularly and fully paid and satisfied.

XXVII. Provided always, That no Sum or Sums of Money whatsoever shall be borrowed and taken up at Interest upon the said Rates or Taxes, charged upon the Lands and Grounds in the said five Districts respectively by virtue of this Act with the Payment thereof, by the said Commissioners, at any such Meeting as aforesaid, unless three Commissioners at least, acting in their own Right, or their Agents to be appointed for that Purpose, and not as Deputies for the said first District, and five such Commissioners for the said second, third, fourth, and fifth Districts respectively, shall be then and there present, and consenting and agreeing thereto.

XXVIII. Provided always, and be it enacted by the Authority aforesaid, That in lieu of the Mortgage or Security of the Taxes, arising or to be raised and levied under or by virtue of the aforesaid Act of Parliament, made in the twenty-second and thirty-second Years of the Reign of his late Majesty King George the Second, heretofore made or given to *John Gardner* Esquire, for securing the Payment of one hundred and fifty Pounds, and Interest, the said Commissioners for the said second District, under or by virtue of this Act, or any five or more of them, shall, and they are hereby authorized and required immediately after the passing of this Act, by Writing, without Stamps, under their Hands and Seals, or under the Hands and Seals of any five or more of them, to mortgage, charge, assign, convey, and incumber the said Taxes or Rates of three Shillings *per Acre*, so as aforesaid to be raised upon or within the said second District, under or by virtue of this Act, for and with the Repayment of the said Sum of one hundred and fifty Pounds, and all Interest then due, or thereafter to grow or become due thereon; and which said Taxes, Rates, and Assessments shall be, and are hereby declared to be, a Security for, and charged and chargeable with the due Payment of the said one hundred and fifty Pounds, and Interest, as aforesaid, until such Assignment or Transfer shall be made; and which said Sum of one hundred and fifty Pounds shall be considered and taken as Part of the aforesaid Sum of one thousand five hundred Pounds, herein-before authorized and directed to be borrowed on the Security of the said Rates and Taxes; and the said *John Gardner*, his Executors, Administrators, and Assigns, for or in respect thereof, is and are hereby authorized and empowered to demand and recover the same, and shall, by virtue of this Act, be intitled to the Payment thereof, prior to any Sum or Sums of Money which may at any Time hereafter be due or owing to any other Person or Persons whatsoever, upon or by virtue of any Mortgages or Security of the said Taxes, Rates, and Assessments, in the said second District; and that from and after the passing of this Act, the said Taxes, Rates, and Assessments, shall not be liable to or be chargeable with any other Sums then due to any other Person by virtue of the said recited Acts, except to and with the said Sum of one hundred and fifty Pounds due to the said *John Gardner*.

XXIX. And be it further enacted by the Authority aforesaid, That in lieu of the several Mortgages or Securities of the Taxes arising or to be raised and levied within the said fifth District, under or by virtue of the aforesaid Act, made in the thirty-first Year of the Reign of his late Majesty King George the Second, heretofore made or given to *John Waddington* Esquire, for securing the Payment of two hundred Pounds and Interest, and to *John Gardner* Esquire, for securing the Payment of one hundred Pounds and Interest, the said Commissioners for the said fifth District, under or by virtue of this Act, or any five or more of them, shall, and they are hereby authorized and required, immediately after the passing of this Act, by Writings, without Stamps, under their Hands and Seals, and respectively signed and sealed by any five or more of them, to mortgage, charge, assign, convey, and incumber the said Tax or Rate of three Shillings *per Acre*, so as aforesaid to be raised upon or within the said fifth District, under or by virtue of this Act, for and with the Repayment of the said two several Sums of two hundred Pounds and one hundred Pounds, and all Interest then due, or thereafter to grow or become due thereon; and which said Taxes, Rates, and Assessments shall be, and are hereby declared to be, a Security or Securities for, and charged and chargeable with, the due Payment of the said two Sums of two hundred Pounds and one hundred Pounds, and Interest, until such respective Assignments or Transfers shall be made as aforesaid; and which said two Sums of two hundred Pounds and one hundred Pounds shall be considered and taken as Part of the aforesaid Sum of two thousand Pounds herein-before authorized and directed to be borrowed on the Security of the said Rates and Taxes; and the said *John Gardner* and *John Waddington* respectively, and their respective Executors, Administrators, and Assigns, for or in respect thereof, are hereby authorized and empowered to demand and recover the same, and shall, by virtue of this Act, be respectively intitled to the Payment thereof, prior to any other Sum or Sums of Money which may at any Time hereafter be due or owing to any other Person or Persons whatsoever, upon or by virtue of any Mortgages or Security of the said Taxes, Rates, and Assessments, within the said fifth District.

XXX. And whereas the Commissioners acting by and in pursuance of the said two recited Acts, made in the twenty-second and the thirty-second Years of the Reign of King George the Second, have borrowed several Sums of Money on the Credit of the Rates and Taxes by the said Acts granted, which still remain due and unpaid, and have also contracted several Debts in the Execution of the Powers to them by the said Acts granted: And whereas the Lands and Grounds herein-before described, being Part of the Lands comprised within the said Acts, will, by virtue of this Act, be taken from the Control and Jurisdiction of the Commissioners under the said Acts: And whereas it is but reasonable that

On Default of Payment, Rates shall vest in the Creditors till paid.

No Money to be borrowed at any Meeting, unless the proper Number of Commissioners for each District shall be present.

Debts due to *John Gardner* Esquire, to have Priority of Payment.

Money due to *John Waddington* and *John Gardner*, Esqrs. to be paid first out of Rates within the fifth District.

Part of the Debts under Sutton and Mepal Acts, chargeable upon the Lands taken from the Control of the Commissioners under the said Acts,

the Lands and Grounds, so taken from the Controul and Jurisdiction of the Commissioners under the said Acts, and now vested in the Commissioners under this Act, should bear their equal Part and Proportion of the Sums borrowed, and the Debts incurred under the said two Acts; be it further enacted, That all the said Lands and Grounds, so taken out of the Controul and Jurisdiction of the Commissioners under the said two Acts (other than and except certain Lands and Grounds taken out of the said two Acts for the Debts of which to *John Gardner Esquire* Provision has been herein before made), shall, in the first place, be liable and subject to the Sums of Money borrowed, and Debts incurred, by virtue of and under the said Acts, in Proportion following; that is to say, That such Part or Proportion of the said Sums of Money borrowed, and Debts incurred, under the said two Acts, shall be chargeable and charged upon the Lands and Grounds so taken from the Controul and Jurisdiction of the Commissioners under the said two Acts, and now vested in the Commissioners under this Act (except as before excepted), as such Lands and Grounds so taken from the Controul and Jurisdiction of the Commissioners under the said two Acts shall bear Proportion, by equal Acre-foot, to the Lands and Grounds still remaining under the Controul and Jurisdiction of the Commissioners under the said two recited Acts: And that from the Time that the said Lands and Grounds shall become subject to the Controul and Jurisdiction of the Commissioners under this Act, the same shall, in the first place, be liable to, and chargeable with, such Proportion of the Money borrowed, and Debts incurred, as before mentioned, and the Person or Persons from whom such Money shall have been so borrowed shall have the same Priority of Payment; and such Transfer or Assignment made to him or them of the Proportion to the Money so borrowed from him or them, and to be charged on such Lands and Grounds taken out of the Controul and Jurisdiction of the Commissioners under the said two Acts, as is herein before mentioned with regard to a Debt due to *John Gardner Esquire*.

Commissioners
may inclose Part
of Warboys
Commons.

XXXI. And be it further enacted by the Authority aforesaid, That it shall be lawful for the Commissioners of the said third District for draining, or any five or more of them, and they are hereby required, as soon as conveniently may be after the passing of this Act, to inclose, or cause to be inclosed, such Quantity or Number of Acres, Part of the Common called *High Fen*, not exceeding in the Whole, at any Time, three hundred Acres, as will, in the Judgment of them the said Commissioners, or any five or more of them, produce, by letting, a Sum sufficient to pay the proportional Part or Share of the Charges and Expences of passing and executing this Act; which shall be charged upon such Part of the said Commons called *High Fen*, which contains one thousand one hundred Acres, or thereabouts, and of the Common called *Broad Pool*, which contains three hundred and fifty Acres, or thereabouts, and of the Common called *Turf Fen*, which contains three hundred Acres, or thereabouts, and such a Quantity or Number of Acres out of any of the said Commons called *New Pasture*, containing one hundred and fifty Acres, or thereabouts, and of the Common called *The Cow Common*, containing five hundred Acres, or thereabouts, and of the Common called *The Stray Pasture*, which contains eighty Acres, or thereabouts, not exceeding in the Whole sixty Acres, as will, in the Judgment of them the said Commissioners, or any five or more of them, produce, by letting, a Sum sufficient to pay the proportional Part or Share of the Charges and Expences of passing and executing this Act, which shall be charged upon the said Commons respectively called by the Names of *New Pasture*, *Cow Common*, and *Stray Pasture*; and the said Commissioners, or any five or more of them, are hereby authorised and required, from Time to Time, so long as it shall be necessary for the Purposes aforesaid, to grant a Lease or Leases of the Lands to be inclosed unto any Person or Persons, at and for the best Rent that can be got for the same, under the usual Covenants, and for any Term not exceeding twenty-one Years at any one Time; and that the Money arising from letting such respective Inclosures shall, from Time to Time, be applied by the said Commissioners, or any five or more of them, in the first place, in paying and discharging the Rates and Taxes which shall be by this Act laid or charged upon the said Commons respectively, and then in defraying the Expence of inclosing the same, and likewise the proportional Share of the said respective Commons of all other Charges and Expences which they are by this Act made liable to; but in case it shall at any Time happen, that the Money to arise by letting the said respective Inclosures shall not be sufficient to pay the Rates and Taxes laid thereupon respectively, then the uninclosed Parts of the said respective Commons shall be liable to pay the Remainder of such respective Rates or Taxes, in the same Manner as would have been in case such Inclosures and Lettings respectively had not been made or had: And in case any Tenant or Tenants of any Part or Parts of such Inclosures shall at any Time neglect or refuse to pay their several and respective Rents, reserved in and by their Lease or Leases, at the respective Times mentioned therein for Payment thereof, it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby empowered to recover such Rent and Arrears thereof by Distress and Sale, in such and the same Manner as other Landlords are by Law empowered to do; and in case any such Tenant or Tenants, at the Expiration of their respective Lease or Leases, shall refuse to give up Possession of their Land to the said Commissioners, then, and in such Case, the said Commissioners, or any five or more of them, are hereby empowered to take, use, and pursue, the same Methods for recovering such Possession, by Ejectment or otherwise, as any other Landlord is intitled to by the Laws of this Realm.

How the Money
arising from let-
ting such Inclo-
sures is to be ap-
plied,

If the Money
arising from let-
ting of the In-
closures is insuf-
ficient to pay the
Rates, the un-
inclosed Parts
liable to the Re-
mainder.

If Tenants re-
fuse to pay their
Rents at the
Times mention-
ed in their
Leases, Commis-
sioners may re-
cover by Distress.

If Commissioners
of third District
neglect to inclose
the Commons,
for 3 Months,
their Powers, &c.
to be vested in
the Commission-
ers of the Upper
District.

Provido,

XXXII. Provided always, That in case the said Commissioners for draining the said third District shall neglect or refuse, for the Space of three Months after the passing of this Act, to inclose and let the said several Proportions of the said Commons, or any of them, and to apply the Money arising therefrom in Manner and for the Purposes above mentioned, that then the several Powers, Authorities, and Directions, by this Act vested in the said last-mentioned Commissioners with respect to such of the said Inclosures so neglected to be inclosed and let, shall be, and are hereby declared to be, vested in and given to the Commissioners of the said upper District for embanking, or any nine or more of them.

XXXIII. Provided always, That the Lands and Grounds so to be inclosed from the said Commons shall be at as great a Distance from the Town of *Warboys* as conveniently may be.

XXXIV. Provided

XXXIV. Provided also, That the Lands and Grounds so to be inclosed shall not, during such Inclosure, be subject to the Payment of any Tithes, Taxes, Parochial or other Rates.

XXXV. And be it further enacted, That the Rates or Taxes to be charged by virtue of this Act, for the Purpose of embanking only upon a certain Meadow or Common within the said Lower District called *Crollade Meadow or Common*, shall be borne and defrayed, one Moiety thereof by the Land Owners intitled at certain Times of the Year to the said Meadow or Common in Severalty, and the other Moiety thereof by the Persons intitled to Right of Common upon the same at other certain Times of the Year.

XXXVI. And be it further enacted, That the said Moiety of the said Rates or Taxes, so to be paid by the said Land Owners intitled at certain Times of the Year to the said Meadow or Common in Severalty, shall be paid and payable by them in the same Manner, and under the same Powers, as the Rates or Taxes chargeable upon any other Owners of private Property are paid and payable; and that for defraying the other Moiety of the said Rates or Taxes, so to be paid by the Persons intitled to Right of Common upon the said Meadow or Common at other certain Times of the Year, the Commissioners for the Lower District for embanking, or any five or more of them, shall and may inclose such Part of the Common called *Somersham Common* otherwise *Somersham Banks*, between *Somersham Turnpike* and *Copen's Corner*, as shall be sufficient for defraying the Moiety of the said Rates or Taxes, and shall and may let the same, in the same Manner, and under the same Powers, as any other Commons may be inclosed or leased by virtue of this Act.

XXXVII. And be it further enacted, That the Commissioners of the said Lower District for embanking, and of the said fifth District for draining, or any five or more of them respectively, shall and may, and they are hereby authorised and required to settle and ascertain what Quantity of Land in the Common, called *Chatteris Common*, charged with any Rate or Tax by virtue of this Act, may be supposed to belong to each and every Owner of Messuages, Tofts, Toftsteads, or Cottages, having Right of Common upon the said Common, and shall charge the Owner or Owners of such Messuages, Tofts, Toftsteads, or Cottages, with an equal Part of the Rates or Taxes by this Act charged on the said Common, in proportion to the Number of Messuages, Tofts, Toftsteads, or Cottages, belonging to such Owner or Owners; and in case such Owner or Owners shall refuse or neglect to pay his or their Proportion of the said Rates or Taxes, so charged upon him or them on account of his or their Right of Common on the said Common so-charged with any Rate or Tax by this Act, then, and in that Case, the said respective Commissioners, or any five or more of them, shall and may levy the said Rates or Taxes, so charged on such Owner or Owners, by Distress and Sale of the Goods and Chattels of the Owner or Owners, Occupier or Occupiers, of such Messuages, Tofts, Toftsteads, or Cottages, in such and the same Manner as the said Commissioners are empowered to levy any Rates or Taxes by this Act charged on Lands and Grounds being Several Property.

XXXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons rated, taxed, or assessed, as aforesaid, with the Payment of any Rates, Taxes, or Assessments aforesaid, shall at any Time refuse or neglect to pay the Rate, Tax, or Assessment, charged upon him, her, or them respectively, for or on account of their several Lands and Grounds lying or being in any of the said Districts or Divisions herein before mentioned, or by virtue of this Act subject to the Payments of such Rates, Taxes, or Assessments, upon such Days, and at such Times, as herein before appointed, or at such other Days and Times as shall be appointed by the said Commissioners, or any five or more of them, within their respective Districts or Divisions, for such Payment, publick Notice of such Days of Payment being first affixed twenty-one Days before such Days of Payment upon the several Church or Chapel Doors of the several Parishes wherein such Districts shall respectively lie or be; which Notice so to be given and affixed upon such Church or Chapel Doors as aforesaid shall be deemed and taken as publick Notice as if Demand had been actually made by the said Receiver or Collector of the Person or Persons by whom such Rate or Tax is to be paid as aforesaid; it shall and may be lawful for the Collector or Receiver of such Rate or Tax to be appointed by the said Commissioners, or any other Person or Persons by virtue of any Warrant or Precept under the Hands and Seals of three or more of the Commissioners by this Act respectively appointed for such District or Division where such Neglect or Refusal shall happen as aforesaid, which Warrant or Precept such Commissioners, or any three or more of them respectively, are hereby required and empowered from Time to Time to make, as Occasion shall require, to enter into and upon the said Fen Lands, Low Grounds, and Several Lands, within the said several Districts or Divisions so respectively rated, taxed, and assessed, as aforesaid, in Possession of such Person or Persons as shall so make Default in Payment as aforesaid, and all Messuages, Tenements, or Buildings, thereupon standing, or belonging thereunto, with their and every of their Appurtenances, and to levy the several Sum or Sums of Money by him, her, or them, payable for such Rates or Taxes, and the Arrears thereof, by Distress and Sale of the Goods and Chattels which shall be found on the Premises so charged with any such Rate or Tax, or the Arrears thereof, as aforesaid: And in case no sufficient Distress can be found on the Premises in the Upper and Lower Districts for embanking, or in the second, fourth, and fifth Districts for draining, it shall and may be lawful for the said Collector or Collectors, Receiver and Receivers, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy the said Taxes, and all Arrears for the same, by Distress of the Goods and Chattels of the Person or Persons so making Default in Payment as aforesaid, which shall be found in any other Place within the Kingdom of *Great Britain*, and the Goods and Chattels so distrained to impound on the Premises, or to take, lead, drive, carry away, impound, and keep, in any other Place, for the Space of five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuages, Tenements, Grounds, and Premises, Notice in Writing of the Cause of such Distress, and the Place where such Goods and Chattels shall be so impounded: And if the Owner or Owners of the Goods and Chattels so distrained shall not pay the Sum or Sums of Money rated, taxed, or assessed, and the Arrears thereof, as aforesaid, together with all Costs and Charges attending such

Grounds so inclosed not to pay Tithes, &c.

Rates upon Crollade Common by whom to be borne.

Part of Somersham Common to be inclosed.

How the Taxes laid on Chatteris Common may be recovered.

Collectors may distrain for Payment of Taxes.

If sufficient Distress cannot be found on the Lands, the Property of Persons making Default may be distrained in any other Place;

and if the Money rated be not paid within five Days, the Goods may be sold.

Distress,

Distress, or shall not replevy the said Goods and Chattels so distrained, with sufficient Security to be given to the Sheriff of the County where such Distress shall be taken, or Chief Bailiff of the *Ile of Ely* (if within the said Isle), according to the Laws now in being for Distress in case of Non-payment of Rent, within five Days next after such Distress made, and Notice thereof given as aforesaid, the Person or Persons so distraining may, with the Sheriff or Under-Sheriff of the County, Chief Bailiff of the *Ile of Ely*, Constable or Headborough of the Parish or Place where such Distress shall be made (who is and are hereby required to assist therein), cause the Goods and Chattels so distrained to be appraised by two or more indifferent Persons, to be sworn by such Sheriff, Under Sheriff, Chief Bailiff, Constable, or Headborough (who is and are hereby impowered to administer such Oath), to appraise the same, according to the best of their Judgment; and, after such Appraisement, it shall and may be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons so making such Distress, to sell the Goods and Chattels so distrained for the best Price that can be got for the same, for and towards Satisfaction for the Monies for which such Distress shall be so taken, and the Charges of taking, keeping, appraising, and selling, the Goods and Chattels so distrained, leaving the Overplus (if any be) in the Hands of such Sheriff, Under Sheriff, Chief Bailiff, Constable, or Headborough, for the Use of the Owner or Owners thereof: And the Tenant and Tenants of all and singular the said Fen Lands and Low Grounds, which shall be rated and assessed by virtue of this Act, is and are hereby required and authorized to pay such Taxes or Assessments, and deduct the same out of his, her, or their Rent; and every Tenant paying such Tax or Assessment shall be acquitted and discharged for so much Money as such Assessment shall amount to, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Fen Lands and Low Grounds (except where there is a Lease for three or more Years to come from the Commencement of this Act); in which Case, the Proportion of the Tax or Assessment which the Tenant ought to bear and pay, in consideration of the Benefit he or she receives by such Lease, shall be adjudged and awarded by the said Commissioners, or any three or more of them, in the said first District, or by the said Commissioners, or any five or more of them, of the said four other Districts, at a Meeting to be held for such respective Districts by virtue of this Act.

Tenants to pay Taxes, and deduct the same out of their Rent.

Persons refusing to pay the Rates for one Month after due, to forfeit Two-pence in the Shilling for what is in Arrear.

Commissioners impowered to collect Arrears of Taxes under former Acts of Parliament.

XXXIX. And be it enacted by the Authority aforesaid, That if any Person or Persons shall refuse or neglect to pay, or cause to be paid, to the Collector or Collectors for the Time being, to be appointed in pursuance of this Act, the Sum or Sums of Money which he, she, or they, shall be respectively charged with, for the Space of one Calendar Month after a personal Demand made, or Notice in Writing left at the usual Place of Abode of such Person or Persons by such Collector or Collectors, every such Person shall forfeit and pay the Sum of Two-pence for every Shilling which shall be so in Arrear and unpaid; to be levied by Distress and Sale of his, her, and their Goods and Chattels, in such Manner as the aforesaid Rates and Taxes are herein directed to be levied; and the Monies so forfeited and levied shall be applied towards the Works of such District where the same shall be forfeited.

XL. And be it further enacted by the Authority aforesaid, That in case there shall, at the Time when any of the Lands and Grounds comprised in the said recited Acts shall by virtue of this Act become vested in the Commissioners under this Act, be any Arrears of Rates or Taxes due from any Person or Persons whatsoever, upon any of the Lands or Grounds lying or comprised in any of the aforesaid five Districts or Divisions, on account of any Rate, Tax, or Assessment, at any Time heretofore made or laid upon any of the said Lands or Grounds under or by virtue of any former Act of Parliament, such Person or Persons shall, and they are hereby required to pay the same to such Person or Persons, at such Time or Times, Place or Places, and in such Manner and Proportion, as the Commissioners acting by virtue of and under any of the said recited Acts for such respective District in which such Arrears shall be due, or the major Part of them, assembled at a Meeting for that Purpose, shall severally order, direct, and appoint; and the said Commissioners acting by virtue of and under the said recited Acts are hereby respectively required to collect the said Arrears accordingly; and in case of Non-payment, or any Default of Payment of the same, at such Times, at such Places, and to such Person or Persons, as aforesaid, publick Notice of such Day or Days of Payment, twenty-one Days before such Day or Days of Payment being first affixed upon the several Church and Chapel Doors of the respective Parishes wherein such Land and Grounds, so in Arrears as aforesaid, shall respectively lie, and which Notice shall be deemed and taken to be as publick a Notice as if Demand thereof had been actually made by the said Receiver or Collector of the Person or Persons from whom such Arrears shall be so due and owing as aforesaid, it shall and may be lawful for the respective Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by virtue of any Warrant or Precept, under the Hands and Seals of three or more of the said Commissioners for such respective Districts wherein or whereon such Arrears shall be due as aforesaid (which Warrant or Precept such respective Commissioners, or any three or more of them respectively, are hereby impowered and required to make and sign), to enter into and upon the said Fen Lands and Low Grounds, so rated, taxed, and assessed, as aforesaid, in Possession of such Person or Persons as shall so make Default in Payment, as aforesaid, and all Messuages, Tenements, or Buildings thereupon standing, or belonging thereto, with their and every of their Appurtenances, and to levy the Sum or Sums of Money, by or from him or them due or payable for such Arrears of the said Rates or Taxes, by Distress and Sale of the Goods and Chattels then and there found, in such and the same Manner, and with the like Penalties for Non-payment thereof, as the Commissioners for the several Districts or Divisions under this present Act are herein before authorized and impowered to distrain for and recover the several Rates, Taxes, and Assessments, within their several and respective Districts and Divisions.

Commissioners may take Earth to support the Banks, &c.

XLI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Commissioners appointed by this Act for the said Upper and Lower Districts respectively, or the major Part of them who shall be present at their respective Meetings, from Time to Time to cut and take, or cause to be cut and taken, Earth from the adjoining Lands within their respective Districts, and

to

to heighten, strengthen, widen, make, maintain, and support, or cause to be heightened, widened, strengthened, made, maintained, and supported, all and singular the said outward Banks comprised in the said Upper and Lower Districts respectively, of such Width, Strength, and Dimensions, as they, or the major Part of them, shall think proper, for the preventing the Waters thereof from running over the same, or making any Breach therein, or to repair and make up any Breach that may happen by reason or means of such Waters; and that it shall and may be lawful to and for the respective Commissioners of each of the said five Districts or Divisions for Drainage, or the major Part of them for the Time being who shall be present at their respective Meetings, from Time to Time to cleanse, widen, make, cut, build, erect, purchase, and support, alter, or remove, all such Banks, Bridges, Headings, Cuts, Drains, Dams, Outlets, Mills, Engines, and other Matters and Things already made, built, or erected, or hereafter to be made, built, or erected, by virtue of this Act, within their several and respective Districts or Divisions, for draining their respective Lands and Grounds, and the more easy conveying the Waters thereof to Sea, as the said Commissioners respectively, or the major Part of them present at their respective Meetings for the Time being, shall think necessary or proper; paying such reasonable Satisfaction to the Person or Persons who have a Right to the Soil through or upon which any such Cut, Drain, Dam, Bank, Bridge, Heading, Tunnel, or Outlet, shall be made, or whereupon any such Engines or Mills shall be erected or removed, for the Damages he, she, or they, shall thereby sustain, as shall be agreed upon between the said Commissioners respectively, or the major Part of them present at their respective Meetings for the Time being, and the Person or Persons having such Right as aforesaid; and if the said respective Commissioners, or the major Part of them present at their respective Meetings for the Time being, and such Person or Persons having such Right as aforesaid, cannot agree concerning the Amount of such Damages, then the same shall be adjudged and assessed by the Justices of the Peace, at the Quarter Sessions to be holden for the County of *Huntingdon*, if such Dispute shall happen within the said County, or for the *Isle of Ely*, if such Dispute or Difference shall happen within the said Isle, not interested in the Premises, who are hereby authorized and impowered, and required, to examine into, hear, and determine the same; and the Determination which shall be so made by the said Justices, in their said Quarter Sessions as aforesaid, shall be final and conclusive to all Parties, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

XLII. Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners of the Upper and Lower Districts of embanking respectively, and they are hereby authorized and impowered, at any Time or Times as they shall see Occasion, in case of any Breach of Bank, or of any Deficiency in Description in any of the said intended Banks, to alter and remove any of the said intended Banks, and to make and maintain new Banks, in such Parts and Places, and as contiguous or near thereto as they can within the said respective Districts, as to them shall seem most convenient.

XLIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the Lower District for embanking, together with such Persons who act as Commissioners of the Upper District for embanking, in Right, or as Owners or Occupiers, or Agents for any Owners, of any Part of the said Farm called *The Three Hundred Acre Farm*, and they are hereby authorized and required, to cut and make, or cause to be cut and made, and, from Time to Time, and at all Times hereafter, to maintain, support, and keep in good and sufficient Repair and Condition, a Drain, not less than forty Feet wide and five Feet deep, through the Acre Fen to the Hard Lands at *Chatteris Slate End*, and through the said Lands (except at the two Bridges) to *The Forty Foot River*; and the said Commissioners shall, and they are hereby required to erect and place, or cause to be erected and placed, two or more such Mills as shall be sufficient for throwing out and discharging the Waters from such Drains into the said *Forty Foot River*, and also to make, or cause to be made, a good and sufficient Bank on each Side of the said Drain called *The Twenty Feet Drain*, from the End of the said Farm called *The Three Hundred Acre Farm* to *The Forty Foot River*, and from Time to Time, and at all Times hereafter, to support and maintain such Banks and Mills, and cause the said Mills to be worked, and the said Banks to be supported and repaired, in such Manner, and as often as shall be necessary for discharging the Waters out of the said Drain, and preventing the overflowing of the adjacent Lands, and draining and preserving the same.

XLIV. And be it further enacted by the Authority aforesaid, That the said Commissioners for the said Lower District for embanking shall, and they are hereby authorized and required to cut and make, or cause to be cut and made, and from Time to Time, and at all Times hereafter, to maintain, support, and keep in good and sufficient Repair and Condition, a Drain, not more than forty Feet wide, nor less than five Feet deep, from the End of the Drain called *The Twelve Feet Drain* to the Corner of *The Three hundred Acre Farm*, and along the said Farm to the Drain in the Acre Fen called *The Twenty Feet Drain*.

XLV. And be it further enacted by the Authority aforesaid, That the Commissioners, when they begin to cut the new Drains by this Act directed, shall and do begin at the End of the said Drain next to *The Forty Foot River*, and proceed from thence progressively.

XLVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said Lower District for embanking, together with such Persons who act as Commissioners for the said Upper District, in Right of or as Owners or Occupiers, or Agents for any Owners, of any Part of the said Farm called *The Three Hundred Acre Farm*, and they are hereby authorized and impowered to erect and make, or cause to be erected and made, a staunch Door or staunch Doors in the aforesaid Drain called *Slade Load*, at the Hard Lands in *Chatteris*, in order to prevent the Water from reverting upwards, in case of any Breach in the said outward Bank called *The Forty Foot Bank*, or the Water running over the same in any Place between *Carter's Bridge* and *Horseway*, or the great Mills being disabled from going which shall be erected next the said River called *The Forty Foot River* or *Drain*, and they, or any two of them, are hereby authorized and impowered, in case of such Breach or running over as aforesaid, or such Mills being disabled from going as aforesaid, to shut the said Door or Doors, or order the

and may cleanse, widen, and make Cuts, Drains, &c.

making Satisfaction to the Owners of the Soil.

Disputes to be settled by the Justices.

whose Determination shall be final.

In case of any Breach, &c. Banks may be altered.

Commissioners of the Lower District for embanking, together with Commissioners for *The Three Hundred Acre Farm*, to cut Drains, erect Mills, &c.

Commissioners of Lower District to make particular Drains.

New Drain to be begun next to the *Forty Foot River*.

Commissioners of Upper and Lower Districts to make staunch Doors in *Slade Load Drain*, at the Hard Lands in *Chatteris*.

same to be shut, and so to continue until the said great Mills are repaired and set off again, the Breach or Breaches taken, and the said Banks stopped from running over.

Penalty on Persons opening the said Doors when shut, without an Order signed by Commissioners.

XLVII. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall, at any Time when such Door or Doors shall have been so shut as aforesaid, open the same, or cause the same to be opened, without an Order for that Purpose, signed by any two or more of the said Commissioners, or at any Time before such Mills shall be repaired and set off again, such Breach or Breaches taken, or such Banks shall be stopped from running over, such Person or Persons, being thereof convicted by the Oath of one or more credible Witness or Witnesses, or by Confession, before any one or more Justice or Justices of the Peace for the said *Iste of Ely*, or County of *Huntingdon*, not interested therein, which Oath such Justice or Justices are hereby impowered and required to administer, and also to hear and determine the said Offence, shall forfeit and pay, for every such Offence, any Sum not exceeding fifty Pounds, nor less than three Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices before whom such Conviction shall be made, and to be applied and disposed of in carrying on the Works to be done by the said Commissioners jointly; and for Want of such sufficient Distress, such Offender or Offenders shall, by such Justice or Justices, be committed to the common Gaol for the said *Iste of Ely*, or County of *Huntingdon*, for such Time or Times as such Justice or Justices shall order and direct, not exceeding two Years nor less than three Months, or until such Penalty and Forfeitures shall be paid.

Commissioners impowered to lay Taxes on the Lower District for carrying on the said Works, over and above all other Taxes,

not exceeding 10s. the first Year, nor 2s. in any other Year, per Acre.

XLVIII. And, for the more easy and effectual carrying on the Works directed to be done by the said Commissioners of the Lower District for embanking jointly and together with such Persons who act as Commissioners for the said Upper District, in Right, or as Owners or Occupiers, or Agents for any Owners, of any Part of the said Farm called *The Three Hundred Acre Farm*, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, at such first Meeting after the passing of this Act, or any yearly or other General Meeting for the said Lower District, as aforesaid, then and there to rate, tax, and assess, all and every the Lands lying within the said Lower District, or subject or liable to be rated or taxed thereto by virtue of this Act, or of the said Farm called *The Three Hundred Acre Farm*, or any Part thereof, with an equal and proportionable Acre-rate, Tax, or Sum of Money, at the Discretion of the said Commissioners, or the major Part of them who shall be present at such first Meeting, or any such General yearly or other Meeting, as aforesaid (over and above all the Taxes, Rates, or Assessments, herein before directed to be rated, raised, or levied, in or upon the said Lands and Grounds, or the several Owners or Occupiers in respect thereof), so that such Rate, Tax, or Sum of Money, do not exceed in the first Year the Sum of ten Shillings, nor in any one Year afterwards the Sum of two Shillings, for every Acre of Land or Ground, and so in proportion for every greater or lesser Quantity; and which said Taxes, Rates, and Assessments, shall be raised and levied in the same Manner as the several other Taxes, Rates, and Assessments, are herein before directed to be raised and levied upon or within the aforesaid several Districts for embanking and draining; and the Commissioners hereby appointed for raising and levying such Rates, Taxes, and Assessments, shall have the same Powers and Authorities for recovering the same, as are herein before given to or vested in the Commissioners of any of the said several Districts by virtue of this Act, for recovering any Rates, Taxes, or Assessments, to be raised or levied within the same respectively; and the Person or Persons neglecting or refusing to pay the same shall be subject and liable to the like Penalties and Forfeitures as any such Person or Persons are or may be subject or liable to for or in respect of the Non-payment, or any Default of Payment, of any other Rates or Taxes herein before directed to be raised and levied; and such Taxes, Rates, and Assessments, so to be raised and levied in or upon the said Lower District, and the said Farm called *The Three Hundred Acre Farm*, as aforesaid, shall be applied and disposed of by the said Commissioners, for and towards such particular Works as are herein mentioned or directed concerning the same, jointly, and to or for no other Use, Intent, or Purpose whatsoever.

The Stile on Northey Bank to be kept in Repair by the Commissioners of the Upper District for embanking.

Commissioners for first District to make Drains, and erect a Mill.

XLIX. And be it further enacted by the Authority aforesaid, That the Stile now erected and standing upon the Bank in the said Upper District or Division for embanking, called *Northey Bank*, next to, or adjoining to, a certain Place in the Parish of *Ramsay*, called *Limekiln Hill*, shall, at all Times hereafter, be repaired, and kept in good and sufficient Repair, by and out of the Taxes arising or to be raised by the Commissioners of the said Upper District or Division by virtue of this Act for the embanking and keeping in Repair the several outward Banks of the said District or Division.

L. And, for the more effectual draining and preserving the several Lands and Grounds lying within the Limits of the said first District, be it further enacted by the Authority aforesaid, That the Commissioners for the said first District shall, and they are hereby authorized and required to scour out and cleanse, or cause to be scoured out and cleansed, sixteen Feet wide at the Top, and ten Feet wide at the Bottom, and not less than five Feet deep from the Surface of the adjacent Lands, the Ditch from the *West Water* or *Warboys Common Drain*, formerly called *The Fourteen Feet*, along between the Land of *Mistress Kerrich* and *Warboys High Fen* to the Lands of *Sir Robert Bernard*, and between the said Farm and the said High Fen to the Lands of *William Fellowes Esquire*, and along the said Lands to the Lands of *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, and between the Lands in the said first District and *Warboys High Fen* to the Corner of *Broad Pool*, and thence along the South Side of the same Lands next *Broad Pool* and the *Turf Fen* to *Puddock Drove*, and thence up to the Bank of *Ramsay* first District; and that the Earth which shall be thrown out of the said Drain shall be laid upon the Bank of the four Five hundred Acre Farms, in order to make a sufficient Bank to join the Bank of the *Ramsay* first District, and to prevent the adjacent Lands in the first District under this Act from being overflowed, and in order to make a sufficient Drain for *Warboys Common*; and that the said Commissioners shall, and they are hereby required to cut and make, or cause to be cut and made, and at all Times hereafter to support, maintain, and keep, a Drain not less than twenty Feet wide at the Top, from the *Fifty Foot River*, between *Puddock Drove* and the Lands of

John

John Flemming Esquire, up to the Lands of *Mistress Kerrich*, and also a Drain from thence along the said Drain between the said Drove and *Mistress Kerrich's* Land to the Lands of *Sir Robert Bernard*, from thence along the said Drain between the said Drove and the Lands of *Sir Robert Bernard* to the Lands of *William Fellowes* Esquire, and from thence along the said Drain between the said Drove and the Lands of *William Fellowes* Esquire to the Lands of *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, and from thence along the said Drain between the said Drove and the Lands of *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, up to the Bank that joins the *Ramsfey* first District, and which said Drain shall be of such Width and Depth as the said Commissioners shall think proper; and shall and may erect and place, or cause to be erected and placed, at the lower End of the said Drain next to the *Forty Foot River*, upon the Lands of *John Flemming* Esquire, such a Mill as shall be sufficient for throwing out and discharging the Waters from such Drains into the said *Forty Foot River*, and from Time to Time, and at all Times hereafter, to support and maintain such Mill, and cause the same to be worked in such Manner, and as often as shall be necessary for discharging the Waters out of the said Drains, and preventing the overflowing of the adjacent Lands, and draining and preserving the same.

Ll. Provided always, and be it enacted by the Authority aforesaid, That the said *Sir Robert Bernard*, *William Fellowes*, *Richard Scrimshire*, the Owners of the Land late *Joseph Sherwood* and *Mistress Kerrich*, and their respective Heirs and Assigns, may and shall, from Time to Time, and at all Times hereafter, at their respective proper Costs and Charges, erect, place, support, and maintain, or cause to be erected, placed, supported, and maintained, a Door or Doors by the Side of the said Drain herein before directed to be made in the said first District, in order to let the Water out of their respective Lands, and convey the same through the said Drain up to the said Mill, and may and shall, as they shall judge necessary, erect and make Staunches upon their respective Lands, to keep Water upon their said Lands in the Time of Low Water, for the Use of the Cattle upon the said Lands.

LII. Provided always, and be it enacted by the Authority aforesaid, That neither the said *John Flemming*, nor any of the Owners or Occupiers for the Time being of the said Farm, shall have any Power or Authority by virtue of this Act, or otherwise howsoever, to convey the Water, directly or indirectly, out of or from the said Farm or Lands, by any Means whatsoever, into any Part of the said Mill Drain belonging to the said first District, between the said Farm and *Puddock Drove*, nor into the Division Ditch which parts the said Farm and Lands and the Farm and Lands belonging to *Mistress Kerrich*, any Thing herein contained to the contrary notwithstanding.

LIII. And be it further enacted by the Authority aforesaid, That the said *John Flemming*, and all and every future Owner or Owners for the Time being of the said Farm or Lands, shall, and he and they is and are hereby directed and required, immediately after the passing of this Act, to make, or cause to be made, and at all Times hereafter to support, maintain, and keep, a good and sufficient Bank upon the said Farm or Lands of the said *John Flemming*, all the Way next the Farm or Lands of *Mistress Kerrich*, so far as the said Farms lie contiguous to each other, in order to prevent the Waters in the said Farms from communicating with each other, and also a Bank along the said Farm next to *Puddock Drove*, to the *Forty Foot River*; and in case the said *John Flemming*, or any future Owner or Owners for the Time being of the said Farm or Lands, or any other Person or Persons whatsoever, shall, at any Time hereafter, upon any Occasion whatsoever, cut, or cause to be cut, the said Banks, or any of them, or any Part thereof, and shall thereof be convicted by the Oath of one or more credible Witness or Witnesses, or by Confession, before one or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed, not interested therein, such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding fifty Pounds, nor less than twenty Pounds; to be recovered by Distress and Sale of the Offender's Goods and Chattels, in such and the same Manner as other Penalties herein-before or herein-after directed to be inflicted by virtue of this Act are directed to be recovered; and for want of sufficient Distress, such Offender or Offenders to be committed to the common Gaol for the said County or Place, for such Time or Times as such Justice or Justices shall order or direct, not exceeding two Years, nor less than six Months, or until such Penalties or Forfeitures shall be paid.

LIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said first District, and they are hereby authorized and required, immediately after the passing of this Act, to stop and dam up, or cause to be dammed and stopped up, both Ends of the Ditch which divides the Lands of *John Flemming* and *Mistress Kerrich*, and to erect and make, or cause to be erected and made, and at all Times hereafter to support, maintain, and keep in sufficient Repair, Stiles upon the said Dams or Headings, in order that the same may be sufficient Fences between the said Farms.

LV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said second District, and they are hereby authorized and empowered to erect and make, alter or remove, or cause to be erected, made, altered, or removed, and at all Times hereafter to support, maintain, and keep a Mill or Mills on any Part of the said second District, at or near the *Forty Foot River*, as they shall agree upon and judge proper, for sufficiently draining and preserving the said second District; and also to make such Drain or Drains, Banks, Dams, Stiles, Tunnels, and Headings, in or upon the Lands or Grounds within the said second District, as they shall think proper or necessary for effectually draining and preserving the same.

LVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said third District for draining, and they are hereby authorized and empowered to cut and make, or cause to be cut and made, and to support, maintain, and keep a Drain fourteen Feet wide at the Top, and five Feet deep from the Surface of the adjacent Lands, from a certain Place in *Warboys Common Stray Pasture*, to receive the Water from *Goldpit Runnell*, across *Puddock Drove*, and up the East Side of the said Drove to the Lands of *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, and along

Proprietors of Lands adjoining may erect Doors next the said Drain for letting the Waters into the same.

No Water to be conveyed into the said Drain between the said Farm and *Puddock Drove*, nor into the Division Ditch between the said Farm and the Lands of *Mrs. Kerrich*.
Mr. Flemming to support his Banks.

Penalty of 50l. on cutting any of the Banks.

Commissioners of first District to stop up the Dike Ends between Mr. Flemming and *Mrs. Kerrich's* Lands, and to erect Stiles as Fences.

Commissioners empowered to erect Mills and make Drains in the second District.

A Drain to be made, and Mill erected, for draining *Warboys Common*.

the South Side of *Warboys Turf Fen* to *Pudding Dike*, and along the said *Dike* to the Corner of *Warboys High Fen*, and from the Bank to be made next *Fenton Load*, between *New Pasture* and the said *High Fen*, to the Corner of *Broad Pool*, and from thence along the Ditch between the said *High Fen* and *Broad Pool* to the East Corner of the Lands of the said *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, into the aforesaid Drain to be cut by the Commissioners of the said first District; and from the Corner of the Farm called *The Three Hundred Acre Farm*, next *Fenton Load*, between the said Farm and *Warboys High Fen*, to the Drain called *The Fourteen Feet*, by the South-west Side of the *West Water*, to the Lands of *Mistress Kerrich*, making a Drain on the South-west Side of the *West Water* down to the *Forty Foot River* or Drain, in order that the same may be sufficient Drains for letting off the Water from the said Fen Lands, Low Grounds, and Commons; and the said Commissioners are hereby required, within eighteen Calendar Months after the passing of this Act, to erect and place, or cause to be erected and placed, at the End of the said Drain, and upon the Lands of the aforesaid *John Flemming* or *Matthew Wyldbore*, Esquires, or the *West Water* adjoining or abutting upon the said River or Drain called *Vermuyden's* or *The Forty Foot Drain*, such a Mill as shall be sufficient for throwing out and discharging the Waters from such Drains into the *Forty Foot River*, and from Time to Time, and at all Times hereafter, to support and maintain such Mill, and cause the same to be worked, until the Water in the aforesaid Drain between the four Five hundred Acre Farms and *Warboys High Fen* is one Foot below the level Soil of *Warboys High Fen*.

Commissioners of the third District to place a staunch Door or Doors in the Ditch which divides Mrs. Kerrich's Land and the West Water.

LVII. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said third District, and they are hereby authorised and required, within one Month after the said Drain shall have been completed, to make, set down, or place, or cause to be made, set down, or placed, and from Time to Time, and at all Times hereafter, to support, maintain, and keep in good and sufficient Repair, or cause to be supported, maintained, and kept in good and sufficient Repair, a staunch Door or Doors in the Ditch which divides *Mistress Kerrich's Land* and the *West Water*, not exceeding the Distance of sixty Feet from *Warboys High Fen*; and also a good and sufficient Bank on each Side of the said Door or Doors, to join *Mistress Kerrich's Land* on the one Side, and the Bank of the second District on the other Side, in order that the said staunch Door or Doors, when shut, may effectually prevent the Waters in the Drain, by virtue of this Act directed to be made in or through the said Fen Lands or Low Grounds called *Warboys Common*, from communicating with the Waters in the Drain by virtue of this Act directed to be made from thence on the South-west Side of the Land called *The West Water*, down to the *Forty Foot River* or Drain; and also to make, and from Time to Time, and at all Times hereafter, to support, maintain, and keep in good and sufficient Repair, a good and sufficient Bank on each Side of the said Drain, from the said staunch Door or Doors to the said *Forty Foot River*, so as effectually to prevent the Waters in the said Drain from overflowing the Banks on each Side thereof; and the said Commissioners shall, and they are hereby directed and required, from Time to Time, and at all Times hereafter, to shut the said staunch Door or Doors, or cause the same to be shut, in such Manner as effectually to prevent such Communication of the Waters as aforesaid, at all Times (except as hereafter excepted) when the Mill, to be erected by the said Commissioners for draining the said third District, shall not be going.

If Commissioners of third District suffer staunch Doors to remain open more than two Hours before the Mill is going, &c. to pay double Damage.

LVIII. And be it further enacted, That in case the said Commissioners of the said third District shall at any Time permit or suffer the said staunch Door or Doors to be opened, or to remain open, as aforesaid, beyond the Space of two Hours before the said Mill shall be going, or after the same shall be set down or cease working as aforesaid, the said Commissioners shall forfeit and pay to *Matthew Wyldbore* Esquire, *John Flemming* Esquire, and *Mistress Kerrich*, or any of them, or to the Owner or Owners for the Time being of the three Farms now belonging to the said *Matthew Wyldbore*, *John Flemming*, and *Mistress Kerrich*, and lying next to the *West Water*, who shall prosecute or sue for the same, double the Damage that may arise to the said three Farms respectively, by reason of the said staunch Door or Doors being left open beyond the said Space of two Hours; the same to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, together with Treble Costs of Suit.

Any Person having the Care of staunch Doors, and suffering them to continue open more than two Hours, &c. to be committed.

LIX. And be it further enacted, That in case the Person or Persons, to whom the Care or Custody of shutting the said staunch Door or Doors shall by the Commissioners for the said third District be committed, shall at any Time suffer the same to continue open after the Expiration of the said Space of two Hours, every such Person shall, for every such Offence, upon due Proof thereof before any one of his Majesty's Justices of the Peace for the County of *Huntingdon*, be committed to the House of Correction, there to be kept to hard Labour for any Time not exceeding three Calendar Months, nor less than one Calendar Month, at the Discretion of such Justice.

Owners may shut the staunch Doors, &c. and keep them and the Banks in Repair, if Commissioners refuse;

LX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the present and all and every future Owner or Owners, Occupier or Occupiers, for the Time being, of the said Farms and Lands belonging to the said *Matthew Wyldbore*, *John Flemming*, and *Mistress Kerrich*, and they are hereby authorised and empowered to shut the said staunch Door or Doors at any Time after the said Mill shall be set down or cease working; and in case the said Commissioners for the said third District shall at any Time hereafter refuse or neglect to repair, and keep in good and sufficient Repair, the said staunch Door or Doors, and Banks, so that the same may effectually prevent such Communication of the Waters, as aforesaid, at such Time or Times as aforesaid, it shall and may be lawful to and for the present and all and every future Owner or Owners, Occupier or Occupiers, for the Time being, of the said Farms and Lands belonging to the said *Matthew Wyldbore*, *John Flemming*, and *Mistress Kerrich*, and they are hereby authorised and empowered (after three Days Notice in Writing first given by them, or any of them, to the said Commissioners, or any two of them, to repair the same) to repair the said staunch Door or Doors, and Banks, or cause the same to be repaired, in such Manner, and so as to effectually answer the Purposes aforesaid; and the Treasurer or Receiver of the said third District shall, and he is hereby required to pay the full Charges and Expences thereof to such Person or Persons, on his or their producing

and be paid their Expences by the Treasurer of the third District.

producing proper Vouchers for the Money laid out and expended therein, within twenty Days after Demand thereof made from such Treasurer or Receiver; and in case of Non-payment thereof by such Treasurer or Receiver within the Time above limited for such Payment as aforesaid, that then it shall and may be lawful to and for such Owner or Owners, Occupier or Occupiers, as aforesaid, upon Proof on Oath being first made by them, or any of them, before any one or more Justice or Justices of the Peace for the County of *Huntingdon*, not interested in the Premises, by Warrant under the Hand and Seal of Hands and Seals of such Justice or Justices, to levy the same by Distress and Sale of the Stock, Goods and Chattels, of the Occupier or Occupiers of any of the Lands or Grounds lying within or being Part of the said third District, rendering the Overplus (if any there be) after deducting such Sum or Sums of Money, and the Costs and Charges of such Distress, to such Occupier or Occupiers: And it shall and may be lawful for such Occupier or Occupiers to deduct the Sum or Sums of Money, Costs and Charges, by him or them to be paid, out of the Taxes by him, her, or them payable for or in respect of any Lands or Grounds lying within or being Part of the said third District, any Thing herein before contained to the contrary thereof in any wise notwithstanding.

LXI. Provided also, and be it enacted, That the said Commissioners, or any other Person, shall have no Power or Authority whatsoever to cut or take any of the Land belonging to the said *Matthew Wyldbore*, for the Purpose of making and repairing any of the said Banks, except for the Purpose of the general Em-bankment, any Thing herein contained to the contrary notwithstanding.

LXII. Provided always, and be it enacted, That the said Lands of *Matthew Wyldbore* Esquire, and *John Flemming* Esquire, and the Common called *Crollode Common*, shall not be subject or liable to any Rates or Taxes imposed by virtue of this Act, for the Purpose of draining any of the said Districts, any Thing in this Act contained to the contrary notwithstanding.

LXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said fourth District, and they are hereby authorized and empowered to erect and make, or cause to be erected and made, two or more Mills, and such Drains as they shall agree upon and judge necessary or proper for the effectual draining the same; provided that such Mills be of equal Size and Dimensions, and that the same be erected or placed on some Part of the said fourth District, and not nearer than the Distance of forty Feet from *Fenton Load*, and so that the Waters intended to be conveyed from the said Lands by such Mill or Mills be thrown into *Fenton Load*, and conveyed from thence to the *Forty Foot River*, through the Drain herein before directed to be cut through the Hard Lands at *Chatteris Slade End*, and provided that such Mill or Mills be erected and placed as aforesaid, and at all Times hereafter supported, maintained, and kept, at the sole Expence of the said fourth District; and that there be always a free Communication of the upper End of *Fenton Load* with the Water in the said Drain intended to be cut through the said Lands at *Chatteris Slade End*.

LXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said fifth District, and they are hereby authorized and empowered to erect and make, alter or remove, or cause to be erected, made, altered, or removed, and at all Times hereafter to support, maintain, and keep such Inside Mill or Mills, as they shall agree upon and judge proper for sufficiently draining and preserving the said District; provided that such Mill or Mills be erected and placed in or upon some Part of the said District called *The Fifteen Hundred Acres*, the *Acre Fen*, or *Fledgery Burrows*; and that the Water intended to be conveyed from the said Lands or Commons by such Mill or Mills be thrown into the Drain called *Wimblington Leam*, or *The Twenty Feet Drain*, and conveyed through the said Drain into the *Forty Foot River*.

LXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for *John Leman* and *John Newnham*, Esquires, and each and every the future Owner or Owners for the Time being of the said Farms or Lands called *The Three Hundred Acre Farm*, and they are hereby authorized and empowered to erect and make, or cause to be erected and made, and at all Times hereafter to maintain, support, and keep such a Mill or Mills, as they shall agree upon and judge proper for draining the said Farm, jointly and in common, or separately; provided that such Mill or Mills be erected and placed in or upon some Part of the said Farm called *The Three Hundred Acre Farm*, and that the Water to be thrown by such Mill or Mills be conveyed thereby into the aforesaid Drain called *Fenton Load*; and provided that such Mill or Mills be erected and placed as aforesaid, and at all Times hereafter supported, maintained, and kept at the sole Expence of the Owner or Owners for the Time being of the said Farms; and that such Owner or Owners for the Time being of the said Farm do make, and at all Times hereafter support and maintain the Bank next the said Drain called *Fenton Load*, from *Warboys High Fen Common* to the Fen called *Chatteris Acre Fen*, and not otherwise.

LXVI. Provided always, and be it enacted by the Authority aforesaid, That none of the said Inside Mills, herein before directed to be erected or built next to the said *Twenty Feet Drain*, or *Wimblington Leam*, and *Fenton Load*, shall be permitted to go or to throw Water into the said Drains, or either of them, until the respective Banks on each Side thereof are completely finished, and two or more great Mills are erected and built at *The Forty Foot River* or *Drain*, and ready for going; nor shall any of the said Inside Mills (except the Mill to be built on that Part of *Chatteris Common* called *The Fifteen Hundred Acres* otherwise *Curf*, and *Slade End Night-layer*), be permitted to go or to throw Water into the said respective Drains, at any Time when the said great Mills next the *Forty Foot River* or *Drain* are disabled from going, or during any Breach, or the Water running over the *Forty Foot Bank* between *Carter's Bridge* and *Horseway*, or any Breach or running over of the Inside Banks on each Side of *Fenton Load* and the *Twenty Feet Drain*, or *Wimblington Leam*; Notice in Writing of such Breach or running over, or such great Mills being disabled from going, signed by three Commissioners for any of the said Upper or Lower Districts for em-banking, being fixed on the Outside of one Door of each Inside Mill, and left at the House of the Surveyor, or one Commissioner for such respective District, wherein or whereon such Mill or Mills shall stand,

No Land of Mr. Wyldbore to be cut or taken for repairing Banks, except for the general Em-bankment. Mr. Wyldbore's and Mr. Flemming's Land, and Crollode Common, not subject to Drainage Tax. Commissioners of fourth District may erect Mills next Fenton Load.

Commissioners of fifth District to erect Inside Mills for Drainage, &c.

Owners of the Three Hundred Acre Farm may erect Mills at their own Expence.

No Inside Mills permitted to go till the great Mills are ready for working.

nor during any Breach, &c. of the Bank, or when the great Mills are disabled from going.

§ 1. Penalty for
offending.

or left at the usual Place of Abode of the Occupier of such of the said Mills as shall be private Property: And in case, after any such Notice as aforesaid, or before such Inside Banks and such great Mills are completely finished, as aforesaid, any of the said Inside Mills (except the aforesaid Mill on that Part of *Obsteris Common* called *The Fifteen Hundred Acres, Curf, or Slade End Night-layer*) shall be worked or throw Water into any of the said Drains, the Commissioners for the District wherein or whereon such Mill to be worked as aforesaid shall stand, or the Occupier or Occupiers of any such Mill being private Property, (Information on Oath being laid within one Month from the Time of such Offence being committed before two or more Justices of the Peace for the County or Place where such Offence shall be committed), shall, for every such Offence respectively, forfeit and pay the Penalty or Sum of five Pounds for every Hour each and every such Mill or Mills shall run after such Notice as aforesaid, or before such Inside Banks and great Mills are completely finished, as aforesaid; and the same shall be applied towards repairing, and keeping in Repair, such great Mill or Mills, or the taking and stopping such or any future Breach or Breaches, or running over of the said Banks, as aforesaid; and in case of Non-payment, such Penalty and Forfeiture shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the Justices of the Peace before whom such Convictions shall be made; and such Officer or Commissioner or Commissioners, upon whom or upon whose Goods and Chattels such Distress or Distresses shall be made as aforesaid, shall deduct such Penalty or Penalties, and all Costs and Charges which he or they shall be put unto or sustain, out of the Rates and Taxes arising or levied within the District wherein or whereon such Mill shall stand or be; and the Person or Persons so working such Mill or Mills shall likewise forfeit and pay, for every such Offence, the Sum of five Pounds, to be levied by Distress and Sale of his or their respective Goods and Chattels; but in case the Amount of the Penalty incurred for the Offences aforesaid shall exceed the Sum of one hundred Pounds, then the same shall be recovered by Action, Bill, Plaint, or Information, in some one of his Majesty's Courts of Record at *Westminster*, and for want of sufficient Distress such Offender or Offenders shall, by such Justice or Justices, be committed to the House of Correction for such County or Place, there to be kept to hard Labour for any Time not less than three Calendar Months, nor more than two Years.

Commissioners
of Sutton and
Mepal Acts to
drain the Three
Hundred Acre
Farm till cer-
tain Works are
completed.

LXVII. Provided always, and be it enacted, That until the Banks on each Side of the *Twenty Feet Drain* or *Wimblington Leam* and *Fenton Load* are completely finished, and the two great Mills are erected and built at the *Forty Foot River*, it shall and may be lawful for the Commissioners acting under or by virtue of the said two Acts, made and passed in the Twenty-second and Twenty-third Years of his Majesty King *George* the Second, and they are hereby authorized and required, by and with the Consent of the Owners or Occupiers for the Time being of the Farm belonging to the Heirs of *Sir Thomas Drury* Baronet, to drain the said Farm called *The Three Hundred Acre Farm*, the Owners or Occupiers of the said *Three Hundred Acre Farm* paying to the said Commissioners the Sum of one Shilling per Acre in every Year for draining the said Farm.

Owners to
drain, if Com-
missioners re-
fuse.

LXVIII. Provided nevertheless, That in case the said Commissioners shall neglect or refuse to drain the said Farm, upon Application made to them by the Owners and Proprietors of the said Farm; then, and in that Case, the Owners and Proprietors of the said Farm, are hereby authorized and empowered to drain the said Farm in the same Manner as they could or might have done in case this present Act had never been made, any Thing herein contained to the contrary thereof in any-wise notwithstanding.

If one great
Mill be disabled,
half of the
others to cease
going, &c.

LXIX. Provided always, and be it enacted by the Authority aforesaid, That in case at any Time only one of the said great Mills, to be erected next to the *Forty Foot River* or *Drain*, shall by any Means be disabled from going, that then half the Number of Mills erected, or to be erected, by virtue of this Act, in or upon the said fourth District, shall be set down, and not permitted to work or throw any Water until such Mill is repaired again and fit for going; or in case there shall not be an equal Number of Mills erected in the said fourth District, that then the greater Number of such Mills shall in such Case as aforesaid be set down, and not be permitted to work again until such Mill is repaired again, and fit for going as aforesaid.

Proprietors of
adjacent Lands
may lay Tunnels
into *Fenton*
Load and the
Twenty Feet
Drain.

LXX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the several Owners and Proprietors of Lands or Grounds lying next or adjacent to the said Drains called *Fenton Gull* and *Fenton Load*, *Wimblington Leam* otherwise the *Twenty Feet Drain*, except *Warboys High Fen*, and they are hereby authorized and empowered, at their respective proper Costs and Charges, to make such Dikes, and lay, or cause to be made and laid, such Tunnels, of such Dimensions as they shall think proper, for conveying the Waters from their said Lands into the said respective Drains, at such Time, and whenever they shall respectively think proper; and for letting Water out of the said Drains into their respective Lands, at any Time between the twenty-fourth Day of *June* and the tenth Day of *September*.

Commissioners
of the Lower
District for em-
banking, &c. to
make a Bank
from *Warboys*
Common to the
Three Hundred
Acre Farm.

LXXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the Lower District for embanking, together with the Owners and Proprietors of the several Lands and Commons lying or being in *Warboys High Fen*, and they are hereby authorized and required to make, or cause to be made, a Bank of five Floors to a Rood upon *Warboys Common* next to *Fenton Load*, from the Corner of the *Twelve Feet Drain* on the South-east Side of the *Cow Common* along *New Pasture*, to the *High Fen*, and along the *High Fen* to the Ditch at the Corner of the *Three Hundred Acre Farm*, and across the said Ditch; and that the Charges and Expences of making such Bank shall be borne and paid in the Manner and Proportions herein-after mentioned; that is to say, Three-fifths thereof shall be borne and paid by the Commissioners of the Lower District for embanking, and Two-fifths thereof shall be borne and paid by the Owners and Proprietors of the several Lands and Commons lying or being in *Warboys High Fen*; and that the said Banks shall, from Time to Time, and at all Times hereafter, be repaired and maintained, and kept in Repair, at the sole Expence of the said Owners and Proprietors of the several Lands and Commons in *Warboys High Fen*.

LXXII. And

LXXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Owners of the several Lands and Commons in *Warboys High Fen*, and they are hereby authorised and required, at their respective proper Costs and Charges, to make, and from Time to Time, and at all Times hereafter, to support, maintain, and keep in Repair, a sufficient Bank from a certain Place opposite the *Twelve Feet Drain to Wilborn Ware*, so as to prevent the adjacent Lands from being overflowed by the Water in the said Drain; and that the Owners and Proprietors of the Farm called *Rowey* do also sufficiently scour out, widen, deepen, maintain, and keep, the Drain called *Fenton Load*, along the Side to the End of the said Farm; and that *Warboys* Commoners do likewise scour out, widen, and deepen the said Drain, from thence to the Clofes of *William Pagitt* Esquire, of a sufficient Width and Depth to convey the Waters through that Part of the said Drain to the other Part thereof, next to the fourth District; and in case of any Neglect or Refusal so to do, it shall and may be lawful for the Commissioners of the first and fourth Districts, or any three or more of them, after three Days Notice in Writing, (signed by any three or more of them, being first given to the Commissioners of the third District, or any two or more of them, or left at their usual Place of Abode), to repair and amend the same; and in case of Non-payment of the Costs and Charges attending the same within twenty Days after Demand made thereof, to levy the same by Distress and Sale, and to proceed in the same Manner for the Recovery thereof, as is herein-before directed for the Recovery of any Sum or Sums of Money which may be expended by the Owner or Owners, Occupier or Occupiers, of the Farms or Lands of *Matthew Wyldbore* and *John Flemming* Esquires, by reason of any Neglect or Default of the Commissioners of the third District.

Proprietors of Warboys High Fen to make a Bank from a Place opposite the Twelve Feet Drain to Wilborn Ware.

LXXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said fourth and fifth Districts, and the Commissioners of or for the *Three Hundred Acre Farm* respectively, or the major Part of them who shall be present at a Meeting or Meetings of either of the said Districts for that Purpose, and they are hereby respectively authorised and empowered, at any Time or Times hereafter, to make and lay, or cause to be made and laid, one or more Tunnel or Tunnels, of such Width and Depth as they, or the major Part of them, assembled at such respective Meetings, shall think most proper, in order for letting Waters out of *Vermuyden's* or the *Forty Foot Drain* into the said *Twenty Feet Drain* or *Wimblington Leam*, at such Times, and in such Manner, as the Commissioners, or the major Part of them, assembled at any Meeting for that Purpose, shall think proper to order and direct; and also that it shall and may be lawful for the Commissioners of the third, fourth, and fifth Districts, and of the *Three Hundred Acre Farm*, or the major Part of them who shall be present at any Meeting or Meetings for that Purpose, and they are hereby authorised and empowered, to make and lay, or cause to be made and laid, one or more Tunnel or Tunnels, of such Width and Depth as they, or the major Part of them, at such Meeting, shall think proper, in order for letting Water out of *Fenton Load* into the said respective Districts and Farm, at such Times, and in such Manner, as they shall think proper; provided that such Waters be not let into the said Drains at any Time between the tenth Day of *September* and the twenty-fourth Day of *June*, or at any other Time when the Water is not one Foot below the Soil of the Land lying adjacent to the said Drains.

Commissioners of fourth and fifth Districts may lay Tunnels to let Waters out of the Forty Foot into the Twenty Feet Drain.

LXXIV. And be it further enacted by the Authority aforesaid, That the Commissioners for the said fourth District shall, and they are hereby required to pay, or cause to be paid, to *John Gardner* of *Chatteris* aforesaid, Esquire, or to *John Waddington* Esquire, out of the Taxes or Assessments which shall be levied, rated, and assessed, in or upon the said District, in the first Year after the passing of this Act, the Sum of fifty-five Pounds, in Trust, for the several Persons having Right of Common in the several Commons in *Chatteris* aforesaid, lying within the fifth District, and intended to be drained by virtue of this Act, in order that the same may be applied for and towards the Expences of building a Bridge of twenty Feet Waterway over the Ford in *Chatteris Acre Fen*; and the said Commoners are hereby required to build, or cause to be built, such Bridge accordingly, and, from Time to Time, and at all Times hereafter, to support, maintain, and keep the same in good and sufficient Repair.

Chatteris Commoners to erect a Bridge in Chatteris Acre Fen.

LXXV. And be it further enacted by the Authority aforesaid, That the several Sums of Money which have been heretofore advanced and paid by any of the Owners or Proprietors of the several Fen Lands, Low Grounds, and Commons, lying or being in the said Upper or Lower District for embanking, into the Hands of *Peter Brighty* or *John Bateman*, together with all such Sums of Money which the said *Peter Brighty* and *John Bateman* shall have expended for or towards the Charges and Expences of working the Mills, or maintaining the Banks, in or upon the said Lands and Grounds, until the obtaining of this Act, shall be repaid to them respectively out of the several Rates and Assessments to be raised and levied in or upon all the said Fen Lands, Low Grounds, and Commons, in the said Upper District, and in or upon the Commons called or known by the Names of *Chatteris Acre Fen* and *Hive End Burrows*, lying in the said Lower District, in the first Year after the passing of this Act.

Monies advanced towards carrying on the Works in the Upper or Lower District for embanking to be repaid out of the Taxes arising or laid in the first Year.

LXXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners for the said Upper and Lower Districts or Divisions for the embanking, or any of the said five Districts for draining, or the major Part of them who shall be present at any General Meeting for that Purpose, to order a Survey to be taken and Map made, by such Person or Persons as they shall think proper, of the Lands and Grounds contained or comprised in this Act, in order to ascertain the Number of Acres contained in each respective District either for embanking or draining; which Survey and Map shall be delivered in upon Oath to the said Commissioners for embanking or draining respectively, or any five or more of them, and the Charges thereof shall be borne and paid jointly out of the Taxes respectively arising, or to be raised and levied in such District wherein or whereof such Survey or Map shall be so made as aforesaid.

Commissioners to order a Survey and Map to be made.

LXXVII. Provided always, and be it enacted, That no Tax or Assessment shall be rated, charged, or levied, for or in respect of any Lands, being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of *High Lands*, and have not been damaged by Inundations;

High Lands not to be charged.

and.

Manner of determining which are High Lands.

and if any Dispute shall arise, whether any such Lands shall or shall not be deemed High Lands, the same shall be determined upon View, on or before the tenth Day of *October*, one thousand seven hundred and seventy-five, by any four Commissioners appointed by or elected in pursuance of this Act, not having any Property in the District or Division where such Lands shall lie; two of which said Commissioners shall be nominated by the Commissioners for the District or Division wherein such Dispute shall arise, and the other two Commissioners by the Proprietor or Proprietors of the Lands in Dispute; and such four Commissioners shall, before they proceed to determine such Dispute, chuse one other Commissioner not having Property in such District or Division, as an Umpire, to determine such Dispute, in case such four Commissioners should be equally divided in their Opinions: And all such Commissioners, before they proceed to determine such Dispute, shall take an Oath well and truly, to the best of their Judgment and Knowledge, to determine whether such Lands shall or shall not be deemed High Lands (which Oath any one or more of the Commissioners are hereby impowered to administer); and such Commissioners shall set forth their Determination in two distinct Writings, and shall sign the same; one of which Writings shall be delivered to the Owner or Owners of such Lands, and the other of such Writings shall be deposited and kept in the Place where the Accounts and other Records of such respective Districts are kept.

Persons destroying the Works deemed guilty of Felony.

LXXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully or maliciously burn, cut, break down, or otherwise destroy, any Bank, Mill, Engine, Floodgate, or Sluice, already erected, supported, maintained, or used, or hereafter to be made or erected, supported, maintained, or used, by virtue of this Act, within the Limits aforesaid, for the Purposes of draining and preserving the Fen Lands, Low Grounds, and Commons, within the same, every Person or Persons offending, and being thereof convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by or before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport such Felon for seven Years, in such Manner as other Felons are directed to be transported by the Laws of this Realm.

Persons cutting the Works to forfeit tool.

LXXIX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously stop, dam up, break down, demolish, damage, or destroy, or cause or procure, or hire any Person to dam up, break down, demolish, damage or destroy, any River-draia or Watercourse, Door, Dam, Bridge, Heading, or other Work or Works already made, cut, or erected, or which shall at any Time or Times hereafter be making, cutting, or erecting, or made, cut, erected, supported, maintained, or used, by virtue of this Act, for answering the Purposes of Drainage, and preserving the Fen Lands, Low Grounds, and Commons, within any of the Limits aforesaid, every Person so offending, and being thereof convicted on the Oath of one or more credible Witness or Witnesses, before one or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed, not interested therein, every such Person or Persons, so convicted as aforesaid, shall forfeit and pay, for every such Offence, any Sum not exceeding one hundred Pounds, nor less than twenty Pounds; to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, and to be applied and disposed of in the Improvement of the Works of the District or Division where such Offence shall be so committed, and not elsewhere; and for Want of sufficient Distress, such Offender or Offenders shall be committed by such Justice or Justices to the House of Correction of the County or Place where such Offence shall be committed to hard Labour for not more than two Years, nor less than three Months, without Bail or Mainprife, or until such Penalty shall be paid.

Penalty on Persons laying Obstructions in Drains and Fisheries.

LXXX. And whereas it frequently happens, that the Passage of the Waters through the Mill Drains to the several Mills or Engines for draining Fen Lands is obstructed by loose and disorderly Persons setting Fishing-nets, and laying other Obstructions in the said Drains, be it therefore enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the passing of this Act, wilfully set any Nets or other Engines for the taking or catching of Fish, or throw any Earth or other Obstructions in any of the said Mill Drains or Watercourses already made, or hereafter to be made, in any of the said Districts or Divisions respectively, by virtue of this Act, every Person or Persons so offending, and being thereof convicted before any one or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed, not interested in the Premises, who is and are hereby required to hear and determine the same on the Oath of one or more credible Witness or Witnesses, shall forfeit and pay any Sum not exceeding five Pounds, nor less than twenty Shillings; to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more of the Justices before whom such Conviction shall be made; one Moiety thereof to be applied and laid out in the carrying on the Works and Improvements of the said Districts or Divisions where such Offence shall be committed, and the other Moiety thereof to the Informer or Informers; and for Want of such sufficient Distress, such Offender or Offenders shall, by the said Justice or Justices, be committed to the House of Correction of the County or Place where such Offence shall be committed, for any Time not exceeding three Calendar Months, nor less than one Calendar Month; and that it shall and may be lawful for the said Commissioners, or their Collector or Surveyor, to seize and take away any such Nets or other Engines to set, and sell and dispose thereof, and apply the Money arising therefrom towards the necessary Works of such District or Division where the same shall be respectively let as aforesaid.

Penalty on Persons allowing Hogs to wander on the Banks.

LXXXI. And be it enacted by the Authority aforesaid, That if any Swine or Hogs shall, from and after the passing of this Act, be found upon any of the Banks belonging to and within the Limits aforesaid, other than and except such Banks as are private Property, or Part of the Farm Yards belonging thereto, and supported, maintained, and kept in Repair, at the sole Expence of the Owners or Proprietors thereof, that the Owner or Owners of such Swine or Hogs shall forfeit and pay to the said Collector or Receiver, so to be appointed by the said Commissioners, the Sum of five Shillings for every such Swine or Hog that shall

shall be found on the said Banks; such Penalty to be applied for and towards the Repairs of the Banks where such Swine or Hogs shall be respectively found; and that such Penalty of five Shillings shall, upon Proof of the Fact, upon the Oath of one Witness, before any one or more Justice or Justices of the Peace for the *Isle of Ely*, or County of *Huntingdon*, or by Confession of the Owner or Owners of such Swine or Hogs, be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of such Swine or Hogs respectively, by a Warrant or Warrants, under the Hand and Seal, or Hands and Seals, of such Justice or Justices which Warrant or Warrants such Justice or Justices is and are hereby authorized and required to grant, and to administer such Oath, as aforesaid; the Overplus remaining, after such Penalty recovered, and the Charges of such Distress and Sale, to be returned to the Owner or Owners of such Goods and Chattels.

LXXXII. And whereas it frequently happens, by the Negligence or Carelessness of Servants, or other Persons employed in burning Fen Lands, in order to their being converted into Tillage, that the Banks lying contiguous to such Lands are burnt and damaged, by the Fire being suffered to remain too long on such Lands, and thereby extending to such Banks; be it therefore enacted by the Authority aforesaid, That if any Person or Persons, who shall be employed in burning any of the Lands and Grounds lying within the Limits aforesaid, shall, by Carelessness or Negligence, set fire to or burn, or cause to be fired or burned, any of the Banks lying near or adjoining to any of the said Fen Lands and Low Grounds (other than and except such Banks as are private Property, and kept in Repair by the respective Owners thereof), so as such Banks be by means of such Fire destroyed or damaged, such Person or Persons being thereof convicted by the Oath of one or more credible Witnesses or Witnesses, or by Confession, before any one or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed, not interested therein (which Oath such Justice or Justices is and are hereby empowered and required to administer, and also to hear and determine the said Offence), shall give such Recompence and Satisfaction to the said Commissioners for the Damage done to the said Banks, as such Justice or Justices shall think reasonable; such Damages and Recompence to be paid by such Offender or Offenders, within such Time as by such Justice or Justices shall be ordered and appointed, into the Hands of the Receiver or Receivers for the Time being appointed by virtue of this Act, to be applied by him for and towards the repairing and amending such Banks; and in case of Non-payment thereof, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of the said Justice or Justices before whom such Conviction shall be made; and for want of sufficient Distress, such Offender or Offenders shall by such Justice or Justices be committed to the House of Correction for the said Isle or County, and there kept to hard Labour for such Time or Times as such Justice or Justices shall order and direct, not exceeding three Calendar Months, or until such Damage or Recompence shall be paid.

Persons burning the Banks by Carelessness, to make good the Damage.

LXXXIII. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall cut or dig any Turfs, Hods, or Sesses, in the said Fen Lands or Low Grounds, except in the said Third District, within the Distance of forty Feet from the Centre of any Bank which may be made by virtue of this Act (except such Banks as shall be private Property), every Person so offending shall forfeit and pay the Sum of five Pounds for every Rod of such Turf, Hods, or Sesses, so cut and dug: And if any Person or Persons shall make, or cause to be made or cut, any Watering Places, or any Place of Access for Cattle to drink (except in the said third District, who are not intended to be hereby restrained from cutting Waterings for Cattle in any Place but from the Corner of *The Three Hundred Acre Farm to Withern Ware*), in, through, or upon any of such Banks, as aforesaid, or in any Mill-drain (except such as shall be private Property, and made, supported, and maintained, at the proper Costs and Charges of the respective Owner or Owners thereof) within any of the said Fen Lands or Low Grounds hereby intended to be embanked, drained, and preserved, every Person so offending shall forfeit, for every such Offence, the Sum of five Pounds: And if any Person or Persons shall make, or cause to be made, any Soak-dike or Ditch, or Soak-gripple, in or upon any of the said Fen Lands or Low Grounds within the Distance of thirty Feet from any Bank (except such as shall be private Property, as aforesaid) now made, or hereafter to be made, within the Limits aforesaid, every Person so offending shall forfeit, for every such Offence, the Sum of Four-pence for every Foot in Length of such Soak-dike or Gripple, and after the same Rate for every Month such Soak-dike or Gripple shall remain unfilled after Notice given by the Clerk or Agent to the said Commissioners to such Person or Persons who shall have dug, or caused to be dug, the same; and the said Commissioners, or any five or more of them, shall have full Power, at any Time, at the Costs and Charges of the Owner or Occupier of such Lands wherein such Soak-dike or Gripple shall be made, to fill up and level the same; all which Forfeitures shall, upon Conviction of the Offender or Offenders before any one or more of the Justice or Justices of the Peace for the County or Place wherein such Offence shall be committed, not interested in the Premises, upon the Oath of one or more credible Witnesses or Witnesses (which Oath the said Justice or Justices is and are hereby empowered and required to administer, and also to hear and determine the said Offence), be immediately paid into the Hands of the Treasurer of the said District, to be applied for carrying on the Works thereof; and in case of Non-payment thereof, such Forfeitures shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant, under the Hand and Seal, or Hands and Seals, of the Justice or Justices of the Peace, before whom such Conviction shall be made; and for want of sufficient Distress, such Offender shall, by such Justice or Justices, be committed to the House of Correction for such County or Place where such Offence shall be committed, there to be kept to hard Labour for such Time as the said Justice or Justices shall order and direct, not exceeding three Calendar Months.

No Hods to be cut within 40 Feet of any Banks, except in the third District.

LXXXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall erect, set up, use, or work, any Horse Mill, Gigg, Engine, or other Device whatsoever, for draining or discharging the Water from any Land in the said Districts through or upon the Lands of any other Person or Persons, in any other Manner than by one List only, directly and immediately from the Lands of

Persons erecting Horse Mills, or any more Mills than directed by this Act, to forfeit sol.

and 5l. per Day while such Erections shall continue.

No Houses to be built, nor Trees, &c. planted, nearer to Mills than 50 Poles,

under the Penalty of 100l.

Trees and Holts now growing within 50 Poles may be cut down.

If Owners, &c. neglect to scour or repair Dikes, the same to be done at their Expence.

Commissioners annually to view and repair such Works as shall be neglected in any of the said Districts.

the respective Owner of such Mill, Gigg, Engine, or other Device, into the *Forty Foot River or Drains*, or in any other Manner than by virtue of the Engines erected, or to be erected, by virtue of this Act, in each of the said Districts for draining the same; every Person so discharging the said Water other than as aforesaid, shall, for every such Offence, forfeit and pay the Sum of fifty Pounds, and also the further Sum of five Pounds *per Day*, for every Day which any such Erection as aforesaid shall continue or be used, to any Person who shall sue for the same; one Moiety thereof to be paid to the Receiver or Collector for the Time being of such District or Division wherein or whereon such Erection shall stand or be made, and to be applied for the Purposes of draining, embanking, and improving the said Fen Lands and Low Grounds lying or being within the same; and the Owner of such Mill, Gigg, Engine, or other Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damages such Person and Persons shall thereby sustain; and such Penalties, Compensation, and Satisfaction, to be recovered, together with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparllance, shall be allowed.

LXXXV. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, no Houses or Buildings, or any other Obstructions whatsoever, shall be erected or set up, or Trees or Holts planted, either within the said several Districts, or any of them respectively, or on the Outside thereof, nearer to any Mill or Engine already built, erected, or employed, or hereafter to be built, erected, or employed for draining the Fen Lands and Low Grounds within the Limits aforesaid, than fifty Poles (being the Pole of eighteen Feet), or on any Bank within the Limits aforesaid (except on the Bank called *Northey Bank*): And if any Person or Persons shall build or erect any House, Barn, or other Building, or shall plant any Tree or Holt, or set up, place, lay, or put any other Obstruction whatsoever, within any less Distance than fifty Poles, every such Person shall forfeit and pay, for every such House or Building, the Sum of one hundred Pounds; to be recovered in like Manner as the Penalties herein-before mentioned for erecting Horse Mills, Giggs, Engines, or other Devices for throwing Water; and for every Tree the Sum of one Shilling, and five Pounds for every Holt or other Obstruction so planted or set up; which said Penalties of one Shilling and five Pounds for the Offences aforesaid, are to be levied and paid in like Manner as the Penalties inflicted for cutting Hods or Turves within forty Feet of the said Banks: And the said Commissioners, or any three or more of them, are hereby impowered, at any of their Meetings, by an Order under the Hands and Seals of any three or more of them, to direct their Agents or Servants to take down such Buildings so erected, and pull up and remove such Trees, Holts, and other Obstructions, so placed contrary to this Act.

LXXXVI. Provided always, and be it enacted, That if any Trees or Holts are now growing within the Distance of fifty Poles from any Mill or Engine already built, or hereafter to be built, within the Limits aforesaid, or on any of the Banks within the Limits aforesaid, (except the said Bank called *The Northey Bank*;) it shall and may be lawful for the said Commissioners for the said several and respective Districts, or any three or more of them respectively, by like Order, under their Hands and Seals, to order the same to be pulled or cut down, as if the same had been planted since the passing of this Act; making such Satisfaction to the Owners of such Trees and Holts as shall be agreed upon between such Owner and the Commissioners, or any five or more of them; or in case any Difference or Dispute shall arise between the said Commissioners and such Owner, touching such Satisfaction, and the same cannot be settled between them, then such Satisfaction and Recompence shall be finally determined, in such and the same Manner as is herein-before mentioned and prescribed for ascertaining the Recompence to be made for Damage by making and erecting any Works in pursuance of this Act.

LXXXVII. And be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers, of any Land lying within the Limits aforesaid, through which any Drove-way Dike, Outring Dike, or Division Dike, leading to any of the Mill Drains within the said Districts respectively doth or shall pass, shall neglect or refuse sufficiently to road, scour, cleanse, open, or repair any such Dike, or to make the same of the Depth of four Feet, and the Width of eight Feet at least, after fourteen Days Notice in Writing to him, her, or them given, from Time to Time, by the Collector or Collectors, Receiver or Receivers, to cause such Dikes to be roaded, scoured, cleansed, opened, repaired, and deepened, in a sufficient Manner, and made of the Width aforesaid, at the proper Costs, Charges, and Expences of such Owners or Occupiers; and that wherever a Road or Way shall have been made over or across any such Dike without a sufficient Tunnel lying therein, to cause such Ways or Roads to be taken up, and such Dike to be made of a proper Width and Depth for conveying the Waters through the same to the several Mills or Engines erected, or to be erected, for draining the said Fen Lands and Low Grounds, and by a Warrant or Precept, under the Hands of three or more of the said Commissioners, to levy such Charges and Expences as shall be occasioned by the deepening and widening of the said Dikes, or taking up the said Roads, on the Owner or Owners, Occupier or Occupiers, of the Lands through which the said Dikes shall pass, or to which they shall be contiguous, or who shall make, or cause to be made, such Road as aforesaid.

LXXXVIII. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the said Upper and Lower Districts for embanking, or any five or more of them respectively, and they are hereby authorized and impowered, on the last *Tuesday in March* in every Year, or at any other Time which they shall appoint for that Purpose, to enter into and upon the several Lands and Grounds lying or being within either of the said Districts, in order to view the several and respective Banks and Works thereof, and to see that the same are in good and sufficient Repair; (that is to say,) the said Commissioners for the said Upper District, or any five or more of them, as aforesaid, shall and may enter into and upon the several Lands and Grounds lying within the Limits of the said Lower District, and the said Commissioners for the said Lower District shall and may enter into and upon the several

several Lands and Grounds lying or being within the Limits of the said Upper District or Division, in order to view the several Banks and Works of or belonging to each respective District as aforesaid, and shall, at a Meeting, to be by them respectively appointed for each respective District, make their Report of the same to such Commissioners for each respective District as shall be then and there assembled: And in case it shall appear that through the Neglect or Default of the Commissioners of either of the said Districts, any of the Banks or Works of or belonging thereto are not in such good and sufficient Repair and Condition as they might or ought to be, it shall and may be lawful for the Commissioners of such other District, or any five or more of them, to give Notice in Writing to the Commissioners of such District or Division wherein such Neglect or Default shall happen as aforesaid, or any five or more of them, or to their Surveyor or Officer for the Time being, to repair and amend the same; and in case the said Commissioners shall neglect or refuse to repair and amend the same in a proper Manner for twenty-one Days after such Notice shall have been given as aforesaid, it shall and may be lawful for the Commissioners of such other District or Division, or any five or more of them, to order and direct their Officers, with such Workmen as they shall think proper, to enter into and upon the Lands and Grounds whereon or wherein such Neglect or Default shall happen, as aforesaid, and to repair, amend, and put into good and sufficient Repair and Condition, all such Banks and Works as shall be so out of Repair and Condition, and to do all such other Matters and Things as shall be or become requisite or necessary to be done for or by reason or Means of such Neglect or Refusal; as aforesaid: And that the Treasurer or Receiver of such District wherein such Neglect or Default shall happen as aforesaid, shall, and he and they is and are hereby required to pay the full Charges and Expences thereof to such Officer or Officers, on his or their producing proper Vouchers for the Money laid out and expended therein within twenty Days after Demand made thereof from the said Treasurer or Receiver; and in case of Non-payment thereof within the Time above limited for such Payment as aforesaid, that then it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby authorized and empowered, by Warrant under their Hands and Seals, to levy the same by Distress and Sale of the Goods and Chattels of the Occupier or Occupiers of the Lands or Grounds in such respective District wherein such Neglect or Default shall happen to be made, as aforesaid; and that it shall and may be lawful for the Owner or Owners, Occupier or Occupiers, of such Lands or Grounds wherein or whereon such Distress shall be had or taken as aforesaid, to deduct the Sum or Sums of Money by him or them so paid out of the Taxes due, or to grow due, to the said Commissioners for the said Lands and Grounds where such Distress or Distresses shall be so made, any Thing to the contrary thereof notwithstanding.

LXXXIX. Provided always, and be it enacted by the Authority aforesaid, That in case the Commissioners of the said Upper or Lower Districts respectively shall at any Time hereafter neglect or refuse to take or stop any Breach or Breaches, or Overflowing of the Waters, which may at any Time hereafter respectively happen in or upon any of the Banks of or belonging to the said respective Districts for the Space of one Hour after Notice thereof in Writing, signed by the Commissioners of the other District, or any two of them, and given or delivered to any one of the Commissioners for such District wherein such Breach or Breaches, or Overflowings, shall happen as aforesaid, or to their Officer for the Time being, it shall and may be lawful for the Commissioners of such other District, or any two or more of them, to order and direct their Officer or Officers, with such Workmen as they shall think proper, to enter into and upon the Lands and Grounds wherein or whereon such Breach or Breaches, or Overflowing, shall happen as aforesaid, and to take, stop, and repair the same in such Manner as they shall judge necessary, and to do all such other Matters and Things as shall be or become necessary to be done by reason or means of such Neglect or Refusal as aforesaid; and shall proceed in the same Manner for recovering and receiving the Costs and Charges necessarily occasioned thereby, as such Commissioners are respectively herein-before authorized and empowered to proceed for recovering the Costs and Charges which may be occasioned by repairing and amending such Parts of the said Banks as shall be neglected or refused to be done by the Commissioners in each respective District.

XC. And be it further enacted, by the Authority aforesaid, That the said Commissioners for the said first District, or any three or more of them, and also the Commissioners for any of the said other respective Districts, or any five or more of them, shall cause all and every the Engines and Mills, which shall be erected and employed by them by virtue of this Act, to be insured against Fire in some of the Publick Insurance Offices, and from Time to Time pay the Expence attending such Insurances out of the Money arising by virtue of this Act.

XCI. Provided also, and be it enacted by the Authority aforesaid, That no Banks, Dams, or other Works, which were lawfully erected by private Persons in any of the said Districts, shall be cut, taken away, or altered, until the several Mills in the said respective Districts are ready to work.

XCII. And be it enacted by the Authority aforesaid, That the Commissioners for the said first District for draining, or any three or more of them, and also the said respective Commissioners for the said other several Districts either for embanking or draining, or any nine or more of them, not being Deputies, assembled at any of the Meetings to be held in pursuance of this Act, shall have full Power and Authority to appoint one Clerk, and one or more Treasurer or Treasurers, Receiver or Receivers, Surveyor or Surveyors, for each of the said respective Districts or Divisions, or such other proper Officer or Officers, as they the said respective Commissioners for the said first District, or any three or more of them, and also for the Commissioners of the said other Districts, or any nine or more of them, shall think fit, for the taking Care of all such Banks, Mills, and Works, and for collecting the Rates or Assessments which shall be laid, rated, or assessed, on the Lands and Grounds lying within the said respective District, or any of them; and to allow and appoint to be paid to such Officers, out of such Rates or Assessments respectively, such yearly or other Wages or Salary, for their Trouble and Pains, as they the said respective Commissioners, for the said first District, or any three or more of them, or the Commissioners of the said other Districts,

Treasurer of any District where Default shall be to pay all the Expences.

On Neglect of the Commissioners for the District where any Breach shall happen, Commissioners of the other District may repair the same.

Mills to be insured.

No Banks, &c. to be taken away till the Mills are ready to work.

Commissioners to appoint Officers.

and allow them Salaries.

Officers may be removed after 5 Days Notice.

Treasurer and other Officers to give Security.

Officers to account yearly at the General Meeting,

and to attend with their Books, &c.

Accounts passed and allowed, to be entered in two separate Books, &c.

Officers of each District to account as often as required;

and in case of Neglect to be committed.

or any nine or more of them, present at such Meetings, shall think reasonable; which said Clerk, Treasurer or Treasurers, Receiver or Receivers, Surveyor or Surveyors, or other Officer or Officers, so to be appointed, may be removed at the Will and Pleasure of the said respective Commissioners for the said first District, or any three or more of them, or of the Commissioners of the said other Districts, or any nine or more of them, assembled at a Meeting to be held for that Purpose, of which five Days Notice shall be given in Writing, to be affixed on the Church or Chapel Doors of such Parish or Place wherein such District shall lie or be, and other or others may be appointed in his or their Stead, as Occasion shall require: And such respective Treasurer or Treasurers, Collectors or Receivers, shall, before they act in the Execution of the respective Offices, give such Security for the due Execution thereof, and for performing the several Trusts to them committed, as the said respective Commissioners for the said first District, or any three or more of them, or the Commissioners of the said other Districts, or any nine or more of them, assembled at any Meeting for each respective District for that Purpose, shall think fit.

XCIII. And be it further enacted by the Authority aforesaid, That once in every Year, (that is to say) at the yearly General Meeting to be held for the said several Districts respectively, or on any subsequent Day to which the said respective Commissioners for the said first District, or any three or more of them, or the Commissioners for the said other Districts, or any five or more of them, shall adjourn, Inspection shall be had by the said respective Commissioners for the said first District, or any three or more of them, or the Commissioners for the said other Districts, or any five or more of them, of the Receipts and Disbursements of such Monies as shall have been raised and received by virtue of this Act, and in relation to the said several and respective Districts either for embanking or draining for the Year then last past; and all Accounts relating to the said respective Districts shall be, at such Meeting, made up and settled by the Commissioners appointed for the said first District, or any three or more of them, or the Commissioners for the said other Districts, or any five or more of them then assembled; at which Time the several Treasurers, Collectors, or Receivers, of the said Taxes or Assessments in each of the said Districts, are hereby required to attend, with proper Books of Accounts of their Receipts and Disbursements, and all Vouchers for the same; and on considering and examining the said Accounts, and all other Accounts of the Receipts and Disbursements of the Money raised and received by virtue of this Act, within or in relation to the said several Districts respectively, upon Oath, or Affirmation of any of the People called *Quakers*, (if the same shall be required by any three or more of the said Commissioners for the said first District, or any five or more of the Commissioners for the said other Districts, which Oath or Affirmation any one of the said Commissioners is hereby empowered to administer), the said Commissioners, or any three or more of them for the said first District, or any five or more of the Commissioners for the said other Districts, are hereby empowered to allow and pass, under their Hands, the said Account or Accounts, or such Part or Parts thereof as they shall think just and reasonable; and such Account or Accounts, or such Part or Parts thereof as shall be so passed and allowed as aforesaid, shall be fairly entered into two distinct or separate Books, to be kept for that Purpose for each of the said Districts; one of which Books to be kept by the Treasurer or Treasurers, or such other Person or Persons as the said Commissioners for the said first District, or any three or more of them, or the said Commissioners for the said other Districts, or any five or more of them, shall appoint; and the other of the said Books shall be deposited in such Place as the said respective Commissioners for the said first District, or any three or more of them, or the Commissioners for the said other Districts, or any five or more of them, shall direct or appoint, at any Meeting to be held for each of the said Districts respectively, in a strong Box, to be provided by the said Commissioners respectively for that Purpose; and the Books so deposited shall and may be inspected and perused at all reasonable Times, by or at the Request of any Person or Persons rated or taxed in pursuance of this Act, on paying Sixpence for perusing the same.

XCIV. And be it further enacted by the Authority aforesaid, That all and every such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, or other Officer or Officers, so appointed for each respective District, either for embanking or draining as aforesaid, shall upon Oath, or Affirmation of the People called *Quakers*, when thereunto required by the said respective Commissioners for the said first District, or any three or more of them, or the Commissioners for the said other Districts, or any five or more of them (which Oath or Affirmation the said respective Commissioners, or any one or more of them, is and are hereby empowered to administer), give in to the said respective Commissioners for the said first District, or any three or more of them, or to the Commissioners for the said other Districts, or any five or more of them, a true, exact, and perfect Account, in Writing, under their respective Hands, with proper Vouchers, of all Monies which he or they, and every or any of them, shall to such Time have received, paid, and disbursed, by virtue of this Act, or by reason of the respective Office; and in case the Monies so received shall remain in his or their Hands, the same shall be paid to the respective Commissioners for the said first District, or any three or more of them, or to the Commissioners for the said other Districts, or any five or more of them, or to such Person or Persons as they, or any three or more of them, for the said first District, or as they, or any five or more of them for the said other Districts, shall, by any Writing or Writings under their Hands respectively, authorize and empower to receive the same: And in case any such Clerk, Collector, Receiver, or other Officer, shall not give in and make such Account and Payment as aforesaid, or shall refuse to deliver up all Books, Papers, and Writings, in his or their Custody, relating to the Execution of this Act, that then, any one or more Justice or Justices of the Peace for the *Isle of Ely*, or County of *Huntingly*, shall and may make Enquiry of and concerning such Default as aforesaid in a summary Way, as well by Confession of the Party, as by the Testimony of one or more credible Witnesses or Witnesses upon Oath, or Affirmation, as aforesaid (which Oath or Affirmation the said Justice or Justices is and are hereby empowered and required to administer without Fee or Reward); and if any such Clerk, Treasurer, or Collector, or other Officer shall be convicted of all or any of the Offences aforesaid, such Justice or Justices shall, upon such Conviction, com-

mit

mit the Party to the common Gaol of the said *Ile of Ely*, or County of *Huntingdon*, there to remain without Bail or Mainprize, until he shall have made a perfect Account and Payment, as aforesaid, and delivered up all such Books, Papers, and Writings, in his Custody, or until he shall have compounded and agreed with the respective Commissioners for the said first District, or any three or more of them, or with the Commissioners of the said other Districts, or any five or more of them, and have paid such Composition-money; which Composition the said respective Commissioners, or any three or more of them, for the said first District, or the Commissioners for the said other Districts, or any five or more of them, are hereby authorized and impowered to make.

XCIV. Provided always, and be it enacted, That all Orders and Proceedings of the said Commissioners, or any of them, at any Meeting to be held for each of the said Districts either for embanking or draining respectively, shall be entered in distinct Books, to be provided and kept for that Purpose; and such Orders and Proceedings so entered shall be signed by five or more of the said Commissioners for the Upper and Lower Districts for embanking, and for the second, third, fourth, and fifth Districts for draining, and by three or more of the said Commissioners for the first District for draining, so assembled at such Meetings, and being so signed, shall be deemed and taken to be Originals; and all such Books, and also the Books hereby directed to be kept for registering the Securities, Assignments, and Transfers, shall and may be read in Evidence in all Trials at Law, of any Suit or Actions touching any Thing done in relation to or in pursuance of this Act.

XCVI. Provided always, and be it enacted, That no Order which shall be made by the said Commissioners, or any of them respectively, at any of their Meetings for such respective District by virtue of this Act, shall be altered, reversed, annulled, or made void, at any subsequent Meeting, unless for the Upper and Lower Districts for embanking, and for the second, third, fourth, and fifth Districts for draining respectively, nine or more Commissioners be present, and the major Part of the said Commissioners be consenting thereto; and three or more Commissioners for the first District be present, and the major Part of them be consenting thereto; nor unless ten Days Notice in Writing of such Meeting be affixed on the Church or Chapel Doors of the Parish in which such Districts shall respectively lie; in which said Notice the Intent and Design of such Meeting shall be declared; and that every Order for executing the Powers of this Act shall be made at a Meeting of the said respective Commissioners to be held in such Manner as is herein-before authorized and appointed, and not otherwise, except as in this Act is excepted.

XCVII. And be it further enacted, That in all Cases wherein Jurisdiction is given to any Justice or Justices of the Peace by this Act, it shall and may be lawful for such Justice or Justices to administer an Oath, or Affirmation, to any Person for his or their more certain Information in the Matters then depending; and that any Justice of the Peace may act as such in the Execution of this Act, notwithstanding his being a Commissioner, except in Cases wherein he shall be personally interested.

XCVIII. And be it further enacted, That no Order made, touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or the Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any subsequent Irregularity in the Proceedings, but the Person or Persons aggrieved by such Irregularities shall and may recover full Satisfaction for the special Damages in an Action upon the same.

XCIX. Provided always, That where the Plaintiff or Plaintiffs shall recover in any such Action, he, she, or they, shall be paid his, her, or their Full Costs of Suit, and have the like Remedies for recovering the same, as for recovering Costs in any other Case by Law.

C. Provided also, That no Plaintiff shall recover in any Action for an Irregularity, as aforesaid, if Tender of good and sufficient Amends shall have been made by or on Behalf of the Defendant or Defendants before such Action brought, nor if such Tender of Amends shall be made at any Time after the Action brought and between Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof made of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Treble Costs; to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law.

CI. And it is hereby further enacted and declared; That all the pecuniary Fines, Penalties, and Forfeitures, hereby instituted, or authorized to be imposed, the Recovery whereof is not herein-before directed, shall be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for the County or Place where such Offence shall be committed, who is and are hereby impowered and authorized to act in the Premises, and also to hear and determine all other Complaints hereby referred to and made cognizable by any such Justice or Justices, and to issue such Warrant and Warrants as is and are hereby required, and necessary to be granted or issued by any Justice or Justices of the Peace, for any the Purposes in this Act contained; and in case sufficient Distress shall not be found, it shall be lawful for any such Justice or Justices to commit such Offender or Offenders to the common Gaol for the said *Ile of Ely*, or County of *Huntingdon*, there to remain without Bail or Mainprize for any Time not exceeding twelve Calendar Months, or until the said Penalty shall be paid, or otherwise compounded for, which Composition the Commissioners, or any five or more of them, are hereby impowered to make; and that all such Fines, Penalties, and Forfeitures, and Composition-mones, or any Part or Parts thereof, which are not herein-before directed to be applied, shall

Proceedings to be entered in Books.

Orders not to be reversed, unless a certain Number of Commissioners be present, and the major Part consenting thereto, nor unless 10 Days Notice be given.

Justices may administer Oaths; and may act although Commissioners, except where personally interested.

Proceedings not to be removed by *Certiorari*, &c.

Plaintiffs recovering to have full Costs, &c.

No Plaintiff shall recover if Tender of Amends has been made.

Penalties how to be recovered.

shall be paid into the Hands of the Treasurer or Treasurers to the Commissioners, and applied for the Purposes of this Act.

Persons aggrieved may appeal to the Quarter Sessions.

CII. And be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgment of any Justice or Justices of the Peace, on account of any Offence committed, or supposed to be committed, against this Act, or any Penalty to be levied by virtue thereof, may appeal to the Justices of the Peace for the *Isle of Ely*, or County of *Huntingdon*, at the next General Quarter Sessions of the Peace to be held for the said *Isle* or County after the Cause of such Appeal shall happen; the Person or Persons so appealing first entering into Recognizance, with two sufficient Sureties, to the Satisfaction of the said Justice or Justices, to prosecute such Appeal with Effect, and pay the Costs which shall be ascertained by the said Justices in their said General or Quarter Sessions, in case such Order or Judgment shall be affirmed; and the said Justices in their General or Quarter Sessions are hereby authorized and required to hear and determine such Appeal, and give such Costs to either Party, as they shall think reasonable, and to make such Order therein as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed or removable by any Writ of *Certiorari*, or otherwise, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere:

Orders not to be quashed for want of Form.

CIII. And be it further enacted, That no Order or other Proceeding to be made or had, by or before any Justice or Justices of the Peace, by virtue of the Powers by this Act granted, shall be quashed or vacated for want of Form only.

How Offenders may be proceeded against.

CIV. And be it further enacted, That the said Commissioners, or any three or more of them, for the said first District, or any five or more of the said Commissioners for the said other Districts, instead of levying the several Rates and Assessments, and Penalties, by this Act particularly imposed, and proceeding against the Offender or Offenders in the summary Manner herein before provided, or in any Case where no Penalty is particularly imposed, or Method of Proceeding is herein-before particularly directed to be pursued for any Offence against this Act, may, at their Election, prefer, and prosecute with Effect, a Bill or Bills of Indictment against such Offender or Offenders, or may bring an Action or Actions in the Names of any two or more of them, or in the Name of their Treasurer or Clerk.

No Writings to be chargeable with Stamp-duty.

CV. And be it further enacted, That no Order, Nomination, Appointment, Mortgage, Assignment, or other Security for borrowing Money, Contract, Agreement, Information, Conviction, Judgment, Warrant, or other Writing, under the Hand or Hands, Hand and Seal, or Hands and Seals, of any Commissioner or Commissioners, Justice or Justices of the Peace, or exhibited before any of them, in pursuance of any of the Powers or Authorities by this Act vested in such Commissioner or Commissioners, Justice or Justices of the Peace, nor any Transfer of any Mortgage or Security, nor any Bond taken from any Officer, or his Sureties, in pursuance of this Act, for the due Execution of his Office, nor any other Writing whatsoever concerning the Execution of this Act, shall be charged or chargeable with any Stamp-duty.

Quorum of Commissioners.

CVI. And be it further enacted by the Authority aforesaid, That all the Powers and Authorities by this Act granted to the Commissioners for the several Districts for embanking and draining respectively, shall and may, in all Cases where no particular Quorum or Number is appointed by this Act, be executed by any three or more of the Commissioners for the first District for draining, and by any five or more of the Commissioners for the said Upper and Lower Districts for embanking, or for the said second, third, fourth, and fifth Districts for draining respectively, who shall and may, in all Cases where no particular Quorum or Number is herein appointed, execute all the Powers and Authorities of this Act in relation to such Districts respectively.

Commissioners acting not being qualified to pay 50l.

CVII. And be it further enacted, That if any Person, not being qualified as is in this Act directed, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds; to be recovered by Action of Debt, or on the Case, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection, *Wager of Law*, or more than one *Imparlance*, shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor than that such Person has acted as a Commissioner in the Execution of this Act: One Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety thereof shall be applied towards carrying on the Works within the District wherein such Person shall have acted as a Commissioner not being qualified as is in this Act directed.

One Moiety to the Prosecutor, and the other for the Works. How Notice of Meetings is to be given.

CVIII. And be it further enacted by the Authority aforesaid, That whenever any Meeting or Meetings of the Commissioners for any of the said respective Districts for embanking or draining shall be held by virtue of this Act, whereof no Notice is herein-before particularly directed to be given, the said Commissioners for such respective Districts shall, and they are hereby required to give three Days Notice in Writing, signed by any three or more of them respectively, of the Time and Place for holding such Meeting or Meetings, in such and the same Manner as other Notices of Meetings for such respective Districts are herein-before directed or required to be given.

CIX. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every 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, as the Case shall happen, or in any other Form of Words to the same Effect:

Form of Conviction.

County of { **B**E it remembered, That on the Day of in the Year of his Majesty's Reign, *A. B.* convicted before of his Majesty's Justices of the Peace for the County of by virtue of an Act, made in the fiftenth Year of the Reign of his Majesty King *George the Third*, For draining and preserving certain Fen Lands, Low Grounds, and Commons,

* *Commons, in the several Parishes of Ramsey, Bury, Wistow, Warboys, Somersham, Colne, and Pidley with Fenton, in the County of Huntingdon, and in the Parishes of Chatteris and Doddington, within the Isle of Ely, in the County of Cambridge [Specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be.]*

* Given under our Hands and Seals (or Hand and Seal), the Day and Year aforesaid.*

CX. Provided always, and it is hereby enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners appointed in and by an Act of Parliament, herein-before mentioned to be made and passed in the thirtieth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of Ramsey, Bury, Wistow, Warboys, Farcett, Standground, and Water Newton, in the County of Huntingdon, and of Doddington in the Isle of Ely, and County of Cambridge; but that all Rights, Powers, and Authorities whatsoever, contained in the said Act, passed in the thirtieth Year of the Reign of his late Majesty, or which, by virtue thereof, are now vested in the said Commissioners thereby appointed, or any of them, shall for ever hereafter remain, continue, and be in full Force, Power, and Virtue, as fully and effectually, to all Intents and Purposes, as if this Act had never been made (except with respect to the embanking and keeping in Repair *The Forty Foot and Northey Bank*, and raising the Tax of two Shillings, one Shilling, and one Shilling per Acre, hereby directed to be raised by the said Commissioners in the three first Years after the passing of this Act).*

Saving the Rights of the Commissioners of Ramsey first District.

CXI. Provided always, and it is hereby enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to empower the said Commissioners, or any five of them, to have, use, or exercise any Power or Authority over, or to intermeddle with, any of the Sewers, Drains, or Works already made, or hereafter to be made, by the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, by virtue of an Act of Parliament, made in the fifteenth Year of the Reign of King Charles the Second, intituled, *An Act for settling the Draining of the Fens called Bedford Level*, or by virtue of any other Act or Statute whatsoever, or to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, and Authorities vested in the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators; but that all Rights, Powers, and Authorities whatsoever, which by virtue of the said Act, or any other Act or Statute whatsoever, are now vested in the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be in the said Governor, Bailiffs, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Saving Clause to the Corporation of Bedford Level.

CXII. Provided also, and be it enacted, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers and Authorities vested in the Commissioners, appointed in and by an Act of Parliament, passed in the twenty-seventh Year of his late Majesty King George the Second, intituled, *An Act for improving and preserving the Navigation from Salters Load Sluice, in the County of Norfolk, to Strandground Sluice, in the County of Huntingdon, and from Floods Ferry, in the Isle of Ely, in the County of Cambridge, to Ramsey High Load in the said County of Huntingdon; and also the Navigation from Old Bedford Sluice, in the said County of Norfolk, to the River Nene in the Parish of Ramsey, in the said County of Huntingdon; but that all Rights, Powers, and Authorities whatsoever, which, by virtue of the said Act, are now vested in the Commissioners thereby appointed, or any of them, shall for ever hereafter remain, continue, and be in the said Commissioners, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.*

Saving Clause to Commissioners of Nene.

CXIII. Provided also, and be it enacted by the Authority aforesaid, That this Act, nor any Thing herein contained, shall not extend, or be deemed or understood, by any Ways, Means, or Construction, to extend or operate to invalidate, defeat, lessen, diminish, vary, alter, or take away, the Right, Property, Interest, or Title of any Person or Persons whatsoever, Bodies Politick or Corporate, in or unto any Common Right, Pasture, or Feeding for Cattle, or other Rights, Powers, Claims, or Demands whatsoever, upon any Part of the Lands and Grounds by this Act intended and directed to be embanked and drained; but that all such Right, Property, Interest, and Title, shall remain and be used, exercised, and enjoyed, in such and the same Manner in every Respect, and to all Intents and Purposes, as could or might have been in case this Act had not been made; except with respect to the Rights or Powers of inclosing, embanking, and draining the several Fen Lands, Grounds, and Commons, comprised in this Act, and also except with respect to the Tithes, Taxes, Parochial or other Rates, in respect to any Lands inclosed for Payment of the Rates or Taxes imposed by virtue of this Act.

Saving of Rights to Bodies Politick, &c.

CXIV. Provided also, and be it enacted, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to empower the said Commissioners, or any of them, to have, use, or exercise any Power or Authority over, or to intermeddle with, or prejudice any of the Roads or Works already made, or hereafter to be made, by the Trustees appointed in and by virtue of two several Acts of Parliament, the one passed in the fifth Year of his present Majesty King George the Third, intituled, *An Act for continuing the Terms of several Acts, and for giving further Powers for Repairing the Road from Chatteris Ferry to Hammond's Eau, and Somersham Bridge, and for amending and widening the Road from Somersham Bridge to the Sheep Market in Saint Ives, and also the Road branching out of the said Road near Stock's Bridge, through Needingworth to Earith, in the County of Huntingdon; and the other, passed in the seventh Year of his present Majesty King George the Third, intituled, *An Act to amend an Act, made in the fifth Year of his present Majesty, for amending the Road from Chatteris Ferry through Chatteris and March to**

Saving the Rights of Turnpike Commissioners.

Wisbech

Wisbech Saint Peters, and from thence to Tidd Goat, in the Isle of Ely, and from Wisbech aforesaid through Outwell to Downham Bridge, in the County of Norfolk; and for repealing the several Acts for repairing the said Road between Wisbech and March, and also for charging certain Lands in Waldersea and on Wisbech South Side, towards the Repairs of the Waldersea and South Side Banks, which before the passing of the said Act were liable to such Repairs; or either of them; or be construed to extend to invalidate, lessen, diminish, alter, abridge, prejudice, or take away any of the Rights, Powers, and Authorities vested in the said Trustees respectively appointed, or to be appointed, in and by virtue of the said several Acts; but that all Rights, Powers, and Authorities whatsoever, which by virtue of the said several Acts are now vested in the Trustees thereby and by virtue thereof respectively appointed, or any of them, shall hereafter remain, continue, and be in the said Trustees respectively, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made; except with regard to the Drain called *Hanmond's Eau*, and the new Cut, in *Crollode*, which cross the said Road, which the said Commissioners hereby appointed, and their Successors, are hereby authorized and impowered to fill up, and take and carry away the Bridges across the said Drains; provided they shall and do erect sufficient Temporary Bridges during the Time of taking the said Bridges away, and shall and do also well and sufficiently fill up the said Drains, and make as complete a Passage over the said Drains as in any other Part of the said Road.

But not to im-
power them to
make any Cuts
for Water cross
the Road, so as
to injure the
Lands to be
drained by this
Act.

Limitation of
Actions.

General Issue.

Treble Costs.

Publick Act.

CXV. Provided also, and be it further enacted, That the said Trustees of the said Turnpike Roads, under or by virtue of the said two recited Acts of Parliament, made in the fifth and seventh Years of his present Majesty King *George* the Third, shall have no Power or Authority whatsoever to make any Cut or Cuts, Passage or Passages, for the Water cross the said Road, so as in any Manner to injure or damage any of the Lands or Grounds comprised in this present Act, or intended to be thereby drained and preserved.

CXVI. And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons, for any Thing done, or to be done, in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid or brought in the particular County or Liberty where such Offence shall be supposed to have been done, and not elsewhere; and the Defendant or Defendants in such Actions or Suits shall and may plead the General Issue; and if in replevin may justify and avow, by virtue of this Act, as Persons acting by Authority (as Commissioners of Sewers are able to do), and give the special Verdict in Evidence without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon, and that the Fact alleged to have been done was done in pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought in any other County, Liberty, or Place, than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or forbear Prosecution, or discontinue his, her, or their Suit or Suits; or if any Verdict shall pass against him, her, or them, either in Demurrer or otherwise; then and in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, for which he, she, or they shall have like Remedy as when Costs by Law are awarded.

CXVII. And be it further enacted and declared by the Authority aforesaid, That this Act shall be deemed a Publick Act; and all Judges or Justices, or other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. LXVI.

An Act for draining and preserving certain Lands and Grounds in the Parishes of *Wisbech Saint Peter's* and *Wisbech Saint Mary's*, and in the Hamlets of *Wisbech Murrow* and *Wisbech Guybirn*, in the Isle of Ely, and County of Cambridge.

Preamble.

WHEREAS the several Lands and Grounds lying in the Parishes of *Wisbech Saint Peter's* and *Wisbech Saint Mary's*, and in the Hamlets of *Wisbech Murrow* and *Wisbech Guybirn*, in the Isle of Ely, in the County of Cambridge, containing seven thousand Acres, or thereabouts, and abutted and bounded as follows; (that is to say,) Towards the West by *Murrow Bank*, towards the South by the North Bank of the River *Nene* in Part and the Town of *Wisbech* in Part, towards the East by the Town in Part and the West Bank of the said River *Nene* in Part and the Lands in *Leverington* in Part, and towards the North by the Lands in *Leverington* and *Leverington Parson Drove*, are much annoyed with Waters for want of a proper Drainage, and if the same be effectually drained, great Benefit will accrue as well to the Owners and Proprietors of the said Lands and Grounds as to the Publick; but there are no Powers or Provisions now in Force, by virtue of or under any Commission of Sewers, or Law in being, sufficient for the effecting the same; nor can the said Lands and Grounds be effectually drained 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 Right Honourable *Webb Seymour* commonly called *Lord Webb Seymour*, *Sir Clement Trafford*, *Sir Philip Vavazon*, *John Warren* Doctor in Divinity, *Thomas Patrick Young* Doctor in Divinity, *Lawrence Banver*, *Philip Burton*, *John Chettoe*, *Richard Cumberland*, *Edward Dickinson*, *Bartholomew Edwards*, *John Edwards*, *Robert Foster*, *Aungier Peacocke*, *Armstead Parker*, *Rogers Parker*, *Robert Palmer*, *Richard Reynolds*, *Edmund Rolfe*, *John Sumpter*, *Daniel Swaine*, *Spelman Swaine*, *Matthew Wyldbore*, *John Waddington*, *Maximilian Western*, *John Balchen West*, and *Thomas Jenkinson Woodward*, Esquires; *Thomas Cook*, *John Dickinson*, *Thomas Forster*, *William Greaves*, *James Harris*, *Anthony Reynolds*, *Anthony Sanderford*, and *John Twells*, Clerks; *John Abbott*, *James Ashley* the Elder, *John Burch*, *Joseph Bator*,

Commissioners
Names.

Barton, William Coe, Edward Cross, William Daws, John Drake, Thomas Ground, Mason Hardy, John Hetherington, Joseph Hancock, John Hancock, Thomas Harrison, James Long, William Mason, John Morpew junior, John Mayer, William Moore, Henry Newcome, Thomas Richardson, William Rayner, John Stone, William Skrimshire, James Scrimshaw, William Stringer, Joseph Torry, Robert Wensley, and Joseph Wilkinon, Gentlemen, shall be, and they and their Successors, to be elected in Manner herein-after mentioned, are hereby appointed Commissioners for putting this Act into Execution.

II. And be it enacted by the Authority aforesaid, That the said Commissioners shall meet once at least in every Year; to wit, on the second *Tuesday* in *May*, in *Wisbech Saint Peter's* aforesaid, or at such other Time or Times, Place or Places, as they shall see Cause, or think convenient; and shall and may, from Time to Time, at any of their said Meetings, adjourn themselves to such other Time or Times, Place or Places, as they shall think proper; and that three of the said Commissioners, and no less a Number, shall be deemed at all Times to be and constitute a Meeting within the true Intent and Meaning of this Act, for doing the Business and carrying the Purposes thereof into Execution; and that the first Meeting to be holden in pursuance of this Act shall be holden at the *Rose and Crown Inn* in *Wisbech Saint Peter's* aforesaid, on the *Tuesday* Three Weeks next after the Day of the passing thereof; and that ten Days Notice of every other Meeting, except adjourned Meetings, shall be given under the Hands of two or more Commissioners, or their Clerk, and affixed in some publick Place in *Wisbech Saint Peter's* aforesaid, and on the Church Doors of *Wisbech Saint Peter's* and *Wisbech Saint Mary's* aforesaid.

III. Provided always, That no greater or larger Sum of Money than three Shillings for each Commissioner who shall be present at any of the said General Meetings, or than two Shillings for each Commissioner who shall be present at any of the said other Meetings, shall ever be paid and allowed out of the Money to be raised by virtue of this Act, for the Charges or Expences of the said Commissioners at such Meetings; and that all Orders and Determinations of the said Commissioners in the Execution of this Act shall be made at the Meetings to be held in pursuance thereof, by a Majority of the Commissioners present at such Meetings; and that no such Order or Determination of the said Commissioners shall be revoked or altered at any subsequent Meeting, unless five of the said Commissioners at least shall be present, and concur in the revoking or altering thereof.

IV. And be it further enacted by the Authority aforesaid, That when and so often as any of the Commissioners appointed, or to be appointed, by or under this Act, shall happen to die, it shall and may be lawful to and for the surviving or other Commissioners, at their said General Meeting, to elect and appoint one or more Person or Persons in the Place of such Commissioner or Commissioners as shall be then dead, out of the Owners and Proprietors of twenty Acres of the said Lands and Grounds so bounded and described as aforesaid; provided that no Person so elected shall be qualified to act as a Commissioner for any longer or other Time than he shall continue such Owner as aforesaid; and that upon his ceasing to be Owner as aforesaid, the said Commissioners, at their next General Meeting, or any other General Meeting, shall and may elect and appoint another Person, qualified as aforesaid, in the Place of every such disqualified Commissioner, in like Manner as if such Commissioner was dead; and that all such Commissioners, so to be elected and appointed, shall be and are hereby vested with the same Powers and Authorities as the Commissioners in whole Places they were respectively elected and appointed were vested with by virtue of this Act.

V. And be it further enacted by the Authority aforesaid, That the Right Reverend the Lord Bishop of *Ely* for the Time being, by Writing under his Hand and Seal, and the Dean and Chapter of *Ely*, Master and Scholars of *Saint Peter's College*, commonly called *Peter House*, in the University of *Cambridge*, the Corporation for the Relief of the poor Widows and Children of Clergymen, and the capital Burgesses of the Town of *Wisbech* for the Time being, by Writings under their respective common Seals (such several Writings to be certified at the next Meeting after the signing or sealing thereof), shall and may respectively, from Time to Time, nominate and appoint one Commissioner for putting this Act into Execution; and that such Commissioners, so to be nominated and appointed as aforesaid, shall be, and are hereby vested with the same Powers and Authorities as the Commissioners hereby named and appointed are vested with by virtue of this Act; and that each and every of the Commissioners hereby named and appointed, or to be named and appointed in pursuance of this Act, who shall be leased and possessed of one hundred Acres of the Lands and Grounds intended to be drained by virtue hereof, shall and may, from Time to Time, by Writing under his Hand, to be certified also at the next Meeting after the signing thereof, nominate and appoint one other Person to vote and act as a Commissioner in his Absence, and not otherwise, at all or any of the Meetings to be holden under the said Act; and such Person so to be nominated and appointed, shall, in the Absence of the Commissioner so appointing him, be, and is hereby vested with the same Powers and Authorities as such Commissioner is or shall be vested with by virtue of this Act: Provided that no Person whatsoever shall vote or act as Agent for any more than one of the said Commissioners at the same Time.

VI. Provided, and it is hereby further enacted, That if any Person or Persons, not being qualified as aforesaid (the Commissioners hereby nominated, and such other Commissioners as shall be respectively named and appointed by the said Lord Bishop of *Ely*, Dean and Chapter of *Ely*, Master and Scholars of *Saint Peter's College*, commonly called *Peter House*, in the University of *Cambridge*, the Corporation for the Relief of the poor Widows and Children of Clergymen, and capital Burgesses of the said Town of *Wisbech*, or by any of the Commissioners, Proprietors as aforesaid, to act in their Absence, only excepted), shall presume to act as Commissioner in the Execution of this Act, such Person so offending shall, for every such Offence, forfeit the Sum of fifty Pounds; to be recovered, with full Costs of Suit, by any Person or Persons who shall inform or sue for the same, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or upon the Case, Bill, Suit, or Information, wherein no Effoin, Protection, Privilege, or Wager of Law, nor more than one Impar lance, shall be allowed; and in which Action or Suit it shall be

Time and Place of the Meetings of Commissioners.

What Number shall constitute a Meeting. Time of first Meeting.

Expences allowed to Commissioners at Meetings.

All Orders, &c. to be made at Meetings only, and not to be altered, unless five Commissioners concur.

In case of Death, &c. of Commissioners, new ones to be chosen.

Bishop of Ely, &c. may nominate Commissioners.

Certain Commissioners may appoint Proxies.

Penalty on Persons acting as Commissioners not being qualified.

only necessary for the Plaintiff or Informer to prove that the Defendant acted as a Commissioner in the Execution of this Act, and a Verdict shall be found against the Defendant, unless he shall prove in his Defence that he was, at the Time of his so acting, qualified according to the true Intent and Meaning of this Act.

Commissioners
impowered to dig
and take Earth
from certain
Lands,
and to set up
Mills, and make
Bridges, &c.

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners shall have full Power and Authority, from Time to Time, and at all Times hereafter, at their Will and Pleasure, to dig up and take Earth from the said Lands and Grounds, so bounded and described as aforesaid, or any Lands and Grounds lying adjacent thereto, or to any of their Works; and to make, raise, and set up, or cause to be made, raised, and set up, supported, widened, and cleaned, all such Mills, Engines, Sluices, Bridges, Tunnels, Banks, Cuts, Drains, Dams, Outlets, or other Works, in, through, or upon the said Lands and Grounds, so abutted and described as aforesaid, or any of them, or in, through, or upon any Part of the North Bank of the said River *Nene*, between *Guyhirn Cross* and a certain Lane in *Wisbech Saint Peter's* called *Barton Lane*, or in, through, or upon any Part of the West Bank of the said River, from the North Side of the Turnpike House in *Wisbech Saint Peter's* to the Lands in the Parish of *Leverington*, as they shall think necessary and convenient for the draining of the Waters from the said Lands and Grounds, so abutted and described as aforesaid, into the said River; and that they the said Commissioners shall have full Power and Authority over all and singular the said Works so to be made, and also over the Mills already set up for the draining of the said Lands and Grounds, called *The White and Red Engines*, and the Houses, Drains, Sluices, Tunnels, and other Works thereto belonging, and to alter, repair, rebuild, enlarge, widen, or deepen the same, and also over all and singular the Tunnels, Sluices, and other Works already made and set up in the Banks of the said River *Nene*, between *Guyhirn Cross* and *Barton Lane* aforesaid; and to alter, repair, rebuild, enlarge, widen, deepen, use, or take up the same, as they shall think proper and necessary for the better draining of the said Lands and Grounds so abutted and described as aforesaid; and also shall have full Power and Authority over all and singular the Banks, Bridges, Cuts, Drains, Dams, Headings, Outlets, Sluices, or other Works of draining, already made or set up within the Limits of the said Lands and Grounds so abutted and described as aforesaid; and also to fell and take down all such Trees, Wood, and Bushes, as shall or may, at any Time or Times, be Obstructions or Impediments to the working of the said Mills, or any of them, or to the said Drainage, they the said Commissioners paying to such Person or Persons, Body Corporate or Bodies Corporate, as shall or may have a Right or Property in or to any several Lands and Grounds from which any Earth shall be so dug up or taken, or through or upon which any such Bank, Bridge, Cut, Drain, Dam, Outlet, Mill, Engine, Sluice, or other Work, shall be made or set up, or as shall and may sustain any Damage by the removing of the said Obstructions and Impediments, such Satisfaction for the Damages they shall respectively sustain thereby, as shall be agreed upon by the said Commissioners, and the Person or Persons, Body Corporate or Bodies Corporate, having such Right or Property, or sustaining such Damage as aforesaid; And if the said Commissioners, and the said Person or Persons, Body Corporate or Bodies Corporate, having such Right or Property, or sustaining such Damage as aforesaid, cannot agree upon the Value and Amount of the said Damages; then, and in such Case, paying such Satisfaction as shall be assessed by the Justices of the Peace for the said *Ile of Ely*, or the major Part of them, not interested, at any General Quarter Sessions of the Peace to be holden for the said *Ile*, within twelve Months next after such Damages shall be done; and such Justices are hereby authorized to examine into, hear, and determine, the Value and Amount of such Damages upon the Oath of one or more Witness or Witnesses, and their Determinations shall be final and conclusive to all Parties: Provided, that if, before any such Application to the said Justices, the Satisfaction agreed to be paid by the said Commissioners to such Person or Persons, Body Corporate or Bodies Corporate, as shall or may have such Right or Property, or sustain such Damages as aforesaid, shall be by the said Justices adjudged a sufficient Recompence for the Damages which such Person or Persons, Body Corporate or Bodies Corporate, shall or may sustain thereby; then, and in such Case, the Costs and Charges of such Application to the said Justices shall be borne and paid by the Person or Persons, Body Corporate or Bodies Corporate, making such Application; such Costs and Charges to be ascertained and taxed by the said Justices to whom such Application shall be made.

to fell Trees,
and remove
other Obstruc-
tions,
paying for the
Damage.

If Parties can-
not agree, Da-
mage to be set-
tled by the Jus-
tices.

Proviso,

Saving Clause.

VIII. Provided nevertheless, That nothing herein contained shall extend, or be construed to extend, to give any Power or Authority to the said Commissioners to make or widen any Cut, or set down any Sluice, or other Work, in or through the Banks of the said River, or either of them, or in or through the Turnpike Road, without making good such Part or Parts of the said Banks or Road where the said Cut, Sluice, or other Work shall be made, and maintaining and supporting the same so long as the said Cut, Sluice, or other Work shall continue; or to alter, take up, or disannul any Sluice, Cut, or other Work, made or to be made, in or through the said Banks, or either of them, without making good the Breaches occasioned thereby; or to set up, or have any other Mill or Mills (other than and except the said *White and Red Engines*) for the carrying of the Waters from the said Lands and Grounds, so abutted and described as aforesaid, into the said River, through any other Part of the Banks of the same than such Part thereof as is situate between *Guyhirn Cross* and *Bevis Hall*; or to remove the said *White and Red Engines*, or either of them, from the respective Places where they now stand; and that no Earth shall be taken for any Purpose whatsoever from any Place or Places within sixty Feet of *Murrow Bank*, or of any of the Banks of the said River *Nene*; and also that no Earth shall be taken from any of the adjacent Lands and Grounds, unless the said Lands and Grounds, so described and abutted as aforesaid, shall be overflowed with Water in such Manner that Earth cannot be had or taken therefrom within fifty Yards of the Place where the said Earth is to be laid by virtue of this Act.

IX. And, for the preventing of the Waters in the said Drain from overflowing the Banks thereof, or running too high between the *White and Red Mills*, to the Damage of the Lands lying on each Side thereof, in the Parish of *Leverington* and in *The Nine Hundred*, be it enacted by the Authority aforesaid,

That

That in case the said Commissioners shall at any Time or Times make any Alteration in the Dimensions of the said White Mill, by enlarging the same, then, and in such Case, the said Commissioners shall also enlarge the said Red Mill proportionably, and so as to exceed the Dimensions of the said White Mill in such Proportion as Sea Mills usually exceed the Dimensions of Land Mills; and that an Overfall of Brick shall be set up and built near the said White Mill, of such Height, and in such Manner, as they the said Commissioners shall think proper and necessary for the effectual stopping of the said Waters, and preventing their overflowing the Banks of the said Drain, or running too high in the same, to the Damage of the said Lands on each Side of the said Drain.

If the White Mill be enlarged, the Red Mill to be also enlarged.

X. And be it further enacted by the Authority aforesaid, That if the said Commissioners shall at any Time or Times think proper to widen the said Drain between the Poor Houses at or near *Tun Green*, in the Parish of *Leverington*, and the Turn of the said Drain near *Little Dowgate*, then the said Commissioners shall take the Earth from each Side of the said Drain in an equal Proportion, except at such Places where the taking of the Earth from each Side thereof will interfere with private Property, and there the Earth shall be taken on that Side of the said Drain where the taking thereof will not interfere with such Property.

How Earth may be taken away to widen the Drain at *Tun Green*, &c.

XI. And, forasmuch as the Preservation of the said Lands and Grounds, so abutted and described as aforesaid, in a great Measure depends upon the keeping of a sufficient Bank between the said Lands and Grounds and the Common of *Leverington*, and *Leverington Parson Drove*, and therefore the Owners and Proprietors of the said Lands and Grounds, notwithstanding the said Bank is now repaired, supported, and maintained, by the Land Owners of *Leverington* and *Leverington Parson Drove* aforesaid, are desirous of taking upon themselves the Burthen and Expence of raising, supporting, and maintaining the same, from *Murrow Bank* to the White Engine; be it therefore enacted by the Authority aforesaid, that the said Commissioners shall have full Power and Authority, from Time to Time, and at all Times hereafter, at their Will and Pleasure, to amend, raise, support, maintain and keep, at their own Expence, the said Bank, from *Murrow Bank* aforesaid to the White Engine, of a Height and Breadth sufficient for the Defence of the said Lands and Grounds, so described and abutted as aforesaid, against the Waters of *Leverington* and *Leverington Parson Drove*; and that they the said Commissioners, for the amending, raising, supporting, maintaining, and keeping up of the said Bank, shall, and lawfully may, from Time to Time, and at all Times, enter upon the said Common, and take from thence all such Earth as shall be necessary and wanting for the amending, raising, supporting, maintaining, and keeping of the said Bank of the said Height and Breadth, without paying or making any Recompence for the same: Provided, that no Earth shall be taken for the Purposes aforesaid, or any of them, at a greater Distance than thirty Feet from the Brink of the present Drain running between the said Lands and Grounds and the said Common.

Commissioners impowered to support the Bank from *Murrow Bank* to the White Engine.

Provido.

XII. And be it further enacted by the Authority aforesaid, That the said Commissioners shall be, and they are hereby authorised and directed to lay down Bridges in all Places where all or any of the Drains already cut and thrown out, or to be cut and thrown out, under and by virtue of this Act, shall cross any Road or publick Highway, and the said Bridges to support and keep as publick Bridges, for the Passage of Horses, Beasts, Cattle, and Carriages of all Sorts.

Bridges to be provided where necessary.

XIII. And be it also enacted by the Authority aforesaid, That the Proprietors of the Lands lying on the North Side of the said Drain, between *Little Dowgate* and the Red Mill, shall and may have a Passage into their said Lands over the said Drain, for Horses, Carts, and Carriages; and shall and may, from Time to Time, and at all Times, have free Liberty to lay Bridges, or raise Arches, over any Part or Parts thereof, between *Little Dowgate* aforesaid and the Red Mill, for such Passage, and from Time to Time to repair, amend, and keep up the said Bridges and Arches, provided that they the said Proprietors do not thereby, or by Means thereof, lessen or narrow the said Drain, or choak or fill up the same with Earth, Bricks, Rubbish, or in any other Manner whatsoever.

Proprietors of Lands lying on the North Side of the Drain between *Little Dowgate* and the Red Mill to have free Passage over the same.

XIV. And be it further enacted by the Authority aforesaid, That the said Commissioners shall and may, and are hereby impowered to make such Orders, and give such Directions, for the said several Works of Draining, and for the managing, maintaining, and supporting of the same, as they shall think fit; and shall and may appoint one or more Clerk or Clerks, Receiver or Receivers, Collector or Collectors, and such other Officers, for the making and taking Care of such Works, and for the collecting of the Rates and Assessments to be laid and assessed for the making and supporting thereof, or for any other of the Purposes of this Act, as they the said Commissioners shall think proper; and shall and may allow such Officers, and every of them, reasonable Salaries for their Trouble; and shall and may, from Time to Time, as they shall see Occasion, remove any such Clerks, Collectors, Receivers, or Officers, and appoint others in the Places of such of them as shall be so removed, and in case of the Death of any of them, in the Place of such of them as shall so die; and that every Collector and Receiver, so to be appointed as aforesaid, before he or they shall act in the Execution of his or their Office, shall give such Security to the said Commissioners, for the due Execution of the same, as the said Commissioners shall think proper; and shall account and produce his or their Vouchers for all and every such Sum and Sums of Money as he or they shall receive or pay by virtue of their said Office, at the said General Meeting in every Year, and pay over the Balance of such Accounts remaining in his or their Hands, if any such there be, into the Hands of the said Commissioners there assembled, or as they, or the major Part of them, shall direct or appoint.

Commissioners Power respecting the Works, and appointing of Officers, &c.

Collectors and Receivers to give Security, and to account at the General Meeting.

XV. Provided, and it is hereby further enacted by the Authority aforesaid, That if any such Collector or Collectors, Receiver or Receivers, shall neglect or refuse to account for any Sum or Sums of Money by him or them collected or received in pursuance of this Act, at the said General Meeting in every Year, or to pay over the Balance remaining in his or their Hands to the said Commissioners then and there assembled; then, and in either of the said Cases, it shall and may be lawful to and for two of the Justices of the Peace for the said *Iste of Ely*, or for the County where such Collector or Collectors, Receiver or

How Officers refusing to account may be punished.

Receivers, shall reside, to inquire of and concerning such Neglect or Refusal; and if any such Collector or Receiver shall be convicted thereof, upon the Oath of one or more credible Witnesses or Witnesses, that then the said Justices shall respectively, upon such Conviction, commit the said Collector or Collectors, Receiver or Receivers, to the Common Gaol of the said Isle or County where such Collector or Collectors, Receiver or Receivers, shall reside, there to remain until he or they shall have made a full, true, and perfect Account and Payment, as aforesaid.

Acres Taxes to be made, and in what Proportions.

XVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, at their first Meeting after the passing of this Act, and from Time to Time, at their General Meeting in every succeeding Year, to assess, rate, tax, and charge, all and every of the Owners and Occupiers of all and singular the said Lands and Grounds, so described and abutted as aforesaid, by proportionable Acre Taxes, in such Rates or Sums of Money as they shall think proper, and that the said Rates or Sums of Money so assessed shall be paid as soon after the assessing and charging thereof as conveniently may be: Provided, that no such Assessments, Rates, or Taxes, shall at any Time, during the first five Years after the passing of this Act; exceed the Sum of two Shillings and Sixpence an Acre in any one Year, or in any one Year afterwards two Shillings an Acre; and that no such Assessment, Rate, or Tax, be in any one Year less than one Shilling an Acre, so long as any Sum or Sums of Money shall be due and owing thereupon.

Proviso respecting a Place called The Nine Hundred.

XVII. Provided also, That the Acre Tax for each and every Acre of the said Lands and Grounds lying in a Place called *The Nine Hundred*, in *Wisbech Saint Peter's* aforesaid, shall not exceed in any Year the fourth Part of the Acre Tax to be rated, assessed, and charged on the Owners and Proprietors of the other Lands and Grounds intended to be drained by virtue of this Act; and that no Acre Tax shall be laid for and in respect of the said Lands in *The Nine Hundred*, at such Time as an Assessment shall not be made for or in respect of the said other Lands.

Lands to be measured.

XVIII. And be it further enacted by the Authority aforesaid, That on or before the first Day of *September*, in the Year of our Lord one thousand seven hundred and seventy-five, or as soon after as conveniently may be, all and singular the said Lands and Grounds, as well those called *The Nine Hundred*, as the said other Lands and Grounds, shall be truly and distinctly surveyed and measured by such Person or Persons as the said Commissioners, at any of their said Meetings, shall nominate and appoint; and that such Survey shall be put into Writing, and shall contain the Number of Acres, Roods, and Perches, in Statute Measure, belonging to each of the said Proprietors, and two Maps made thereof, and deposited in the Parish Churches of *Wisbech Saint Peter's* and *Wisbech Saint Mary's* aforesaid; and that such Survey shall, as soon as may be after the same shall be completed, be verified at any of the Meetings of the said Commissioners, by the Oath of such Person or Persons as shall so make the same; which Oath the said Commissioners, or any one or more of them, is or are hereby empowered to administer; and that the said Maps shall be a sufficient Warrant and Authority to the said Commissioners to ascertain and determine the Quantity of the said Lands and Grounds so to be measured as aforesaid, belonging to each of the Owners and Proprietors thereof.

Tenants to pay the Tax,

and to deduct it from their Rent.

XIX. And, to the End that the said Rates and Taxes may be more easily and effectually collected and received, be it further enacted by the Authority aforesaid, That all and every of the Tenants and Occupiers of the said Lands and Grounds, who shall be so assessed and rated as aforesaid, shall and are hereby authorized and required to pay all and every such Sum or Sums of Money as shall be so assessed and rated on the respective Lands and Grounds in their several and respective Occupations, and to deduct and retain, out of his, her, or their Rent, all such Sum and Sums of Money as they shall so respectively pay as aforesaid; and the several and respective Landlords or Owners of such Lands and Grounds are hereby required to allow such Deduction and Payment upon Receipt of the Residue of their said Rent; and every such Tenant or Occupier, paying such Assessment or Rate, shall be acquitted and discharged of so much Money as the said Assessment or Rate so to be paid by them shall amount to, as fully and effectually as if the same had been actually paid to his, her, or their Landlord or Landlords.

Certain Persons not intitled to deduct the Tax.

XX. Provided, and be it further enacted and declared by the Authority aforesaid, That no Lessee or Tenant of any Lands or Grounds, charged with the said Rates, Taxes, or Assessments, who shall hold the same by virtue of or under any Lease from any Bishop, or Collegiate Church or College, or any Ecclesiastical Corporation, Sole or Aggregate, or by virtue of or under any other Lease or Agreement, in which, at the Time of the passing of this Act, there shall be more than seven Years to come and unexpired, shall be intitled to deduct the said Rates, Taxes, or Assessments, chargeable by this Act, or any of them, out of the Rent reserved or made payable by any such Lease or Agreement; but that the said Rates, Taxes, and Assessments, shall be charged upon and paid by the Lessees or Tenants so holding such Lands or Grounds as aforesaid; and that all and every Lessee or Lessees, Tenant or Tenants, of any Lands or Grounds charged with the said Rates, Taxes, and Assessments, by virtue of or under any other Lease or Agreement, in which there shall be seven Years or less to come and unexpired, shall pay such an Advance of Rent as the said Commissioners at any of their Meetings shall order, as a Consideration for the Benefit which such Tenant or Tenants shall or may receive by Means of this Act.

If Persons make Default in Payment of Taxes, how they may be recovered.

XXI. And be it further enacted by the Authority aforesaid, That in case Default shall be made by any Person or Persons assessed, rated, taxed, and charged as aforesaid, in his, her, or their respective Payments, by the Space of twenty Days next after the Time hereby appointed for the Payment thereof, and Demand made by the Collector or Collectors, Receiver or Receivers, by Notice in Writing of such Demand left at the usual Place of Abode of the Person or Persons who is, are, or ought to pay the same; or, if such Person or Persons shall not have any Place of Abode within the Parish in which such Lands or Grounds, for or in respect of which he, she, or they shall be assessed and rated as aforesaid, shall lie, then after Demand made by the said Collector or Collectors, Receiver or Receivers, by Notice in Writing of such Demand affixed upon the Church Door of the Parish where such Lands and Grounds, or any Part thereof, shall lie, it shall and may be lawful to and for the Collector or Collectors, Receiver or Receivers,

or any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of any two or more of the said Commissioners (which Warrant or Precept the said Commissioners, or any two or more of them, are hereby impowered and required to make and give, as there shall be Occasion), to enter into and upon the Lands and Grounds so rated and taxed as aforesaid, in Possession of such Person or Persons as shall make Default in Payment as aforesaid, and all Messuages or Tenements thereupon standing, and to levy the Sum and Sums of Money by him, her, or them payable for such Rate or Tax, by Distress of the Goods, Chattels, and Cattle, which shall be there found; and in case no sufficient Distress can be there found, it shall and may be lawful to and for the Collector and Collectors, Receiver or Receivers, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy all Arrears of the said Rates or Taxes by Distress of the Goods, Chattels, and Cattle, of the Person and Persons so making Default in Payment as aforesaid, which shall be found in any other Place in the Kingdom of *Great Britain*, and the said Goods, Chattels, and Cattle, to impound on the Messuages or Lands where the same shall be found, or to take, lead, drive, or carry away, and the same to keep for the Space of five Days, at the Costs and Charges of the Owner or Owners thereof, leaving Notice in Writing of such Distress at the Messuage or Tenement, if any there be, belonging to the said Lands or Grounds upon which such Distress shall be taken, and for Want of such Messuage or Tenement, at the usual Place of Abode of the Person or Persons who is, are, or ought to pay the said Rates or Taxes; but if such Person or Persons shall not have any Place of Abode within the Parish in which the said Lands and Grounds, or any Part thereof, for or in respect of which he, she, or they, shall be so assessed and rated as aforesaid, shall lie, then affixing such Notice upon the Church Door of the Parish where such Goods, Chattels, and Cattle, shall be so taken in Distress; and if the Owner or Owners of the said Goods, Chattels, and Cattle, shall not pay the Sum or Sums of Money so assessed, rated, and distrained for as aforesaid, together with the Charges of such Warrant, and taking such Distress, and of keeping and maintaining the same, or replevy the Goods, Chattels, and Cattle so distrained, according to the Laws now in Force for the Non-payment of Rent, within the said five Days, that then the said Goods, Chattels, and Cattle, so distrained, shall be appraised by two or more indifferent Persons, to be sworn by the Constable or Headborough of the Parish where such Distress shall be made (who is hereby authorized and required to administer an Oath for that Purpose), to appraise the same according to the best of their Judgment; and that, after such Appraisalment as aforesaid, the said Goods, Chattels, and Cattle, shall be sold by the said Collector or Collectors, Receiver or Receivers, or other Person or Persons, for Payment of the said Sum or Sums of Money so assessed, rated, and distrained for, and of the said Charges, and also of the Charges of appraising and selling such Distress; and that the Overplus arising from such Sale, if any be, after Payment of the said Sum or Sums so assessed, rated, and distrained for, and the said Charges, shall be returned on Demand to the Owner or Owners thereof.

Manner of Proceeding, when Distress cannot be found on the Lands.

XXII. Provided always, and it is hereby further enacted and declared, That in case any of the said Lands and Grounds, abuted or described as aforesaid, shall, at any Time hereafter, be untenanted or unoccupied, so that no sufficient Distress can be made for levying the said Rates and Taxes, then the Lands and Grounds chargeable therewith shall remain a Security for Payment thereof; and all Goods, Chattels, and Cattle, which shall at any Time thereafter be found thereon, shall and may be distrained, impounded, kept, and sold, in Manner aforesaid, until all Arrears of the said Rates and Taxes, and the Charges incident to such Distress, shall be fully paid and satisfied.

Lands untenanted to remain a Security for the Rates.

XXIII. And, forasmuch as the said Assessments, Rates, and Taxes, so to be charged and collected as aforesaid, will not be sufficient to defray the immediate Expence of making the several Works necessary for the speedy Improvement of the said Lands and Grounds, be it further enacted by the Authority aforesaid, That the said Commissioners, or any two or more of them, shall and may, and they are hereby impowered, from Time to Time, pursuant to an Order for that Purpose, to be made at any of the said General or other Meetings to be held as aforesaid, at which seven Commissioners shall be present and concur, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the Whole the Sum of six thousand Pounds, which they shall think necessary for the making, carrying on, and maintaining the said Works, and, by Writing under their Hands and Seals, to mortgage or assign the said Assessments, Rates, Taxes, and Sums of Money, so to be rated, taxed, and charged, or any Part thereof (the Costs and Charges of such Mortgage or Assignment to be paid out of the said Taxes), for any such Time or Number of Years, and in such Manner and Form, as to the said Commissioners, or any two or more of them, shall seem meet, as a Security for any such Sum or Sums of Money so borrowed, to such Person or Persons, his, her, or their Trustee or Trustees, with Interest for the same, not exceeding five Pounds *per Centum per Annum*; and that Copies of all such Mortgages and Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Commissioners; and that it shall and may be lawful for all and every Person and Persons to whom any such Mortgage or Assignment shall be made as aforesaid, or who shall be intitled to the Money thereby secured, by Indorsement on his, her, or their Security or Securities, or otherwise, to assign or transfer his, her, or their Mortgage or Security, and Right to the Principal Money and Interest thereby secured; and that such Assignment or Transfer shall be notified to the said Clerk or Clerks, within three Calendar Months after the Date thereof, and that the said Clerk or Clerks shall cause an Entry or Memorial thereof to be made (containing the Date of such Assignment or Transfer, the Names of the Parties thereto, and the Sum or Sums of Money therein mentioned to be assigned or transferred) in the said Book or Books to be kept for entering the original Mortgages or Assignments, for which he or they shall be paid the Sum of two Shillings and Sixpence, and no more; and that after such Entries shall be made, such Assignment or Transfer shall intitle such Assignees to the Benefit and Payment thereon; and that every such Assignee shall and may, in like Manner, from Time to Time, assign or transfer his, her, or their Right and Interest therein and thereto; and that all and every Person and Persons, to whom any such Mortgage, Transfer, or Assignment, shall be made

Money may be borrowed, not exceeding 6000.

and the Rates may be assigned as a Security for Payment.

Assignments to be entered in a Book,

and notified to the Clerk within three Months.

Clerk's Fee.

Assignments may be transferred.

as aforesaid, shall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the said Assessments, Rates, Taxes, and Sums of Money, in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing (such Money; and that the said Money so borrowed shall be applied in Manner hereafter mentioned, (that is to say) in the first place, towards paying and discharging the Costs, Charges, and Expences of obtaining and passing this Act, and then in making, effecting, and maintaining the said Works of draining and improving the said Lands and Grounds so abutted and described as aforesaid, and to and for no other Use, Intent, or Purpose whatsoever.

Expenses of this Act how to be paid.

Rates to be chargeable with Money borrowed.

XXIV. And it is hereby further enacted and declared, That all and singular the said Rates, Taxes, and Sums of Money, by virtue hereof to be assessed and paid by the Owners and Occupiers of the said Lands and Grounds, shall be charged and chargeable in Manner before mentioned, with and for the Payment of such Sum and Sums of Money so to be borrowed as aforesaid, and the Interest thereof, and shall vest in the respective Creditors, upon Default of Payment of such Principal Money and Interest, until the same shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors respectively, their respective Executors, Administrators, and Assigns, shall have the same Powers, Rights, and Privileges, of raising and recovering the Rates, Taxes, and Sums of Money payable as aforesaid, by the Owners and Occupiers of the said Lands and Grounds, for or in respect of such Principal Money and Interest, if Default shall be made in Payment thereof, as the said Commissioners, or their Collector or Collectors, would have had, in case the said Principal Money and Interest had been regularly paid and satisfied.

Transfers or other Securities may be without Stamps.

XXV. And it is hereby further enacted by the Authority aforesaid, That no Mortgage, Transfer, or other Security, for the borrowing of any Money, or Assignment of such Mortgage or Security, Information, Process, Warrant, Judgment, Appointment, or other Writing, in pursuance of, or relating to the Execution of this Act, shall be chargeable with any Stamp-duty whatsoever.

Penalty on Persons wilfully destroying Mills, Floodgates, &c.

XXVI. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall, at any Time or Times hereafter, wilfully and maliciously cut, throw down, burn, or otherwise destroy, any Bank, Mill, Engine, or Flood-gate, already made and erected, or which at any Time hereafter shall be making and erecting, or made and erected, for the draining and improving of the said Lands and Grounds so abutted and described as aforesaid, or any of them, and shall be thereof lawfully convicted, shall be guilty of Felony, and liable to be transported as a Felon for seven Years; and that if any Person or Persons shall, at any Time or Times hereafter, permit or suffer his, her, or their Hogs or Swine to stray upon any of the said Banks made and raised by virtue of this Act, or shall set down any Nets or Engines for the catching of Fish in any of the Drains thrown out for the Purposes aforesaid; or shall dig or throw out any Pond or Watering in any of the said Lands and Grounds so described and abutted as aforesaid, within forty Feet of any Drain already made, or to be made, and used for the draining and improving of the said Lands and Grounds as aforesaid; or shall at any Time hereafter maliciously destroy, stop, dam up, spoil, or damage any Drain, Watercourse, Sluice, Tunnel, Door, Dam, Heading, Bridge, or other Work or Works, made or to be made, or set up and used for the said Purposes of draining; all and every such Person and Persons so offending, being thereof convicted before two or more of his Majesty's Justices of the Peace for the *Isle of Ely*, or for the County where such Person or Persons shall reside (who are hereby authorized and required to hear and determine the same, on the Oath of one or more credible Witnesses or Witnesses, or on the Confession of the Party or Parties so offending), shall, for every such Offence, forfeit and pay a Sum of Money not exceeding the Sum of fifty Pounds, nor less than five Pounds; as the said Justices shall respectively order and direct, to the said Commissioners, for the same Purposes for which the said Assessments, Rates, and Taxes, are hereby directed to be applied, and to be levied by Distress and Sale of the Goods, Chattels, and Cattle, of all and every such Offender or Offenders, by Warrant under the Hands and Seals of the said Justices; and that in Default of such Distress or Payment, the Person or Persons so offending shall be committed by such Justices to the House of Correction, there to be kept to hard Labour for such Time as the said Justices shall respectively order and direct, not exceeding three Calendar Months, at the Discretion of the said Justices by whom such Commitment shall be made.

or permitting Swine to stray on the Banks, or setting Nets in the Drains, &c.

or otherwise damaging any other of the Works.

Rates, &c. to be entered in Books.

XXVII. And, to the End that it may appear clearly what is raised from Time to Time by virtue of the said Assessments or Rates, and how the same have been from Time to Time applied, and that all Accounts of the Monies raised and disbursed by virtue of this Act may be fairly examined; be it further enacted by the Authority aforesaid, That the said Commissioners shall order and cause a Book of Assessments to be made and kept, and all the Rates and Assessments made as aforesaid, under this Act, to be fairly entered therein; and also shall order and cause a Book of Accounts to be made and kept, and an Account of all the Receipts and Disbursements of the Monies received and disbursed, by virtue of this Act, to be fairly entered in the same; and that no Account shall be passed and allowed, unless the same shall be kept and made up in such Books as aforesaid; and that once in every Year, to wit, at the said General Meeting, they the said Commissioners shall carefully examine all Receipts and Disbursements of all such Monies as shall be collected, received, and disbursed, by virtue of this Act, to the *Ladyday* next before such Meeting, and all Vouchers relating to the same; and that upon Inspection and Examination of the said Accounts, upon Oath, to be administered by one or more of the said Commissioners (which Oath any one or more of them is or are hereby impowered to administer), the said Commissioners shall, and they are hereby impowered and directed to allow and pass the said Accounts, or such Part or Parts thereof as shall appear to them just and reasonable; and the said Accounts, or such Part or Parts thereof as shall be allowed by the said Commissioners, under their Hands, shall be fairly entered in a Book or Books to be kept for that Purpose by them the said Commissioners; and that the said Book or Books shall or may be inspected and perused, at all reasonable Times, by any Owner or Owners of the said Lands and Grounds so abutted and bounded as aforesaid, or of any Part thereof, without Fee or Reward.

Receipts to be examined annually.

Accounts allowed or to be entered in a Book, which may be inspected without Fee.

XXVIII. And

XXVIII. And be it further enacted and declared by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners shall be entered in a Book or Books to be kept for that Purpose; and that such Orders and Proceedings so entered shall be signed by the Commissioners then present, or the major Part of them, and that such Orders so signed shall be deemed and taken to be original Orders, as fully and effectually as if the same were under the Hands and Seals of the said Commissioners; and that such Book or Books shall and may be inspected and perused, at all reasonable Times, by any Owner or Owners of the said Lands or Grounds so abutted and bounded as aforesaid, without Fee or Reward, and shall and may be produced and read in Evidence in all Cases of Suits or Actions touching any Thing done in pursuance and by virtue of this Act.

Proceedings of Commissioners to be entered in Books.

XXIX. And be it further enacted by the Authority aforesaid, That the Owners or Occupiers of the said Lands and Grounds so described and abutted as aforesaid, shall make, and from Time to Time, and at all Times hereafter, maintain and keep all the Outring or Division Dikes of or belonging to their said respective Lands and Grounds nine Feet wide, and of a sufficient Depth from the level Soil; and shall from Time to Time, and at all Times hereafter, cause the said Dikes to be well and sufficiently roded, scoured, and cleansed from Weeds, and other Rubbish and Obstructions; and also cause Bridges or Tunnels to be laid over the said Dikes, of such Dimensions, and at such Places, as the said Commissioners, at any of their said Meetings, shall judge proper and necessary for the better issuing, running, and conveying away of the Waters therein, and maintain and keep the said Bridges and Tunnels in Repair: And that if any such Owner or Occupier shall refuse or neglect to make or keep such Dikes of the Dimensions aforesaid, or to rode, scour, or cleanse the same from Weeds, or other Rubbish or Obstructions, or to lay down or repair such Tunnels or Bridges as aforesaid, after fourteen Days Notice in Writing under the Hands of any two or more of the said Commissioners to him or her given, or left at his or her usual Place of Abode; or, in case he or she shall not at that Time have any Place of Abode within the said Parish where such Lands shall lie, to which such Dikes, Bridges, or Tunnels, shall appertain or belong; then, after affixing such Notice on the Church Door of the Parish where such Lands shall lie, the said Commissioners shall and may, and they are hereby authorized and required to cause the same to be done in a proper and effectual Manner, and, by Warrant under their Hands and Seals, to authorize and empower their Collector or Collectors, or any other Person or Persons, to levy and raise the Money expended in the doing thereof, by Distress and Sale of such Goods, Chattels, and Cattle, as shall at any Time thereafter be found on the Lands and Grounds to which such Dikes, Bridges, or Tunnels, shall appertain or belong; and that the Person or Persons to whom such Warrant shall be directed, shall and may levy the Money so expended by Distress and Sale of the same Goods, Chattels, and Cattle, together with all incident Charges, in the same Manner as the Rates, Taxes, and Assessments, herein before mentioned, are hereby directed to be levied, rendering the Overplus, if any there be, to the Owner or Owners thereof.

How Outring or Division Dikes are to be maintained, &c.

If Owners refuse to scour, &c. and remove all Obstructions.

Commissioners may cause the same to be done, and levy the Money expended by Distress.

XXX. And be it further enacted by the Authority aforesaid, That all such Rights, Powers, and Authorities, as the Commissioners of Sewers for the Hundred of *Wisbech*, and Parts adjacent, have at any Time or Times heretofore had or exercised over the said Lands and Grounds so described and abutted as aforesaid, by virtue of any Act of Parliament, or otherwise howsoever, shall from henceforth cease, and be utterly void and determined.

Rights of Commissioners of Sewers over these Lands to cease.

XXXI. Provided, That nothing herein contained shall extend, or be construed to extend, to invalidate, lessen, diminish, or take away the Rights, Powers, and Authorities, now vested in the said Commissioners of Sewers, for the raising of the Rate or Tax known by the Name of *The Halfpenny Acre Shot*, upon or from the said Lands and Grounds so abutted and described as aforesaid, or any of them; or for the raising of any Rates, Taxes, or Sums of Money, upon or from the said Lands and Grounds so abutted and described as aforesaid, for the repairing, maintaining, and supporting of the Bank or Banks running from *Clowes Cress* to *Guyhirn Cress*, and from thence to *Wisbech Bridge*, and so to a Place called *The Horseshoe*, in the Parish of *Leverington*, in the said *Isle of Ely*; but that the said Lands and Grounds shall still remain charged and chargeable with the said Rate or Tax known by the Name of *The Halfpenny Acre Shot*, and also charged and chargeable with the Repairs of the said Bank, in such Proportion, Manner, and Form, as before the passing of this Act the said Lands and Grounds have been used to be charged towards the said Repairs; and that the said Commissioners of Sewers shall have full Power and Authority to assess, rate, and tax the said Lands and Grounds respectively, for and towards the said Halfpenny Acre Shot, and for and towards the repairing of the said Bank or Banks, in Proportion and Manner herein before mentioned; and shall have the same Powers and Remedies for the recovering and compelling Payment of the said Halfpenny Acre Shot, and also of the said other Rates and Assessments to be by them imposed on the said Lands and Grounds, for the repairing of the said Bank or Banks, which they have heretofore had and exercised by or under any Law or Commission of Sewers whatsoever, any Thing herein contained to the contrary thereof in any-wise notwithstanding.

Not to invalidate the Halfpenny Acre Shot.

XXXII. Provided also, and be it further enacted, That the several Dike Reeves, and other Officers acting under the Power and by the Authority of the Commission of Sewers for the Hundred of *Wisbech* and Parts adjacent, shall collect and receive all such Rates and Assessments as shall have been by the said Power and Authority laid upon the said Lands and Grounds so described and abutted as aforesaid, or any of them, before the passing of this Act; and the said Rates, Taxes, and Assessments (except the Rate or Tax known by the Name of *The Halfpenny Acre Shot*, and also except the Rates and Assessments laid for the repairing and maintaining of the Bank or Banks running from *Clowes Cress* to *Guyhirn Cress*, and from thence to *Wisbech Bridge*, and to a Place called *The Horseshoe*, in the Parish of *Leverington*), apply, in the first place, towards reimbursing themselves all such Sums of Money as shall have been laid out and expended by them, or any of them, upon the said Lands and Grounds, or any Part thereof, at the Time of the passing of this Act, under and by virtue of the said Power and Authority, and shall have the same Remedies for the compelling of the Payment thereof as they, or any of them, had before the passing of

Dike Reeves and other Commissioners of Sewers to collect Rates already laid, except as excepted.

and how to be applied.

this

this Act; and that they the said Dike Reeves and Officers, after reimbursing themselves such Sums of Money so laid out and expended as aforesaid, shall pay the Overplus of such Rates, Taxes, and Assessments (except as before excepted), to the Collector or Collectors, Receiver or Receivers, of the Rates, Taxes, and Assessments, to be laid by force and virtue of this Act, and to be by them applied to and for the Purposes thereof: Provided, that the same be collected and received by the said Dike Reeves and Officers of Sewers within six Calendar Months after the passing of this Act.

Limitation of Actions.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, or in the Execution of any of the Powers or Authorities hereby given, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid, had, and brought in the said *Isle of Ely*, or in the County of *Cambridge*; and that the Defendant or Defendants in such Action or Actions, Suit or Suits, shall and may plead the General Issue, and if in Replevin justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do, and shall and may, without specially pleading the same, other than as aforesaid, at any Trial to be had thereupon, give this Act and the Special Matter in Evidence, and that the same was done in pursuance and by Authority of this Act: And if the same shall appear to have been done, or if any such Action or Suit shall be brought after the Time herein before limited for bringing the same, or shall be brought or laid in any other County or Liberty than as aforesaid, that then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff shall become nonsuit, or forbear Prosecution, or discontinue his, her, or their Action or Actions, Suit or Suits; or if a Verdict shall pass, or upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs; that then, or in any of these Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, and have such and the like Remedy for the same as where Costs by Law are awarded.

Treble Costs.

Reserving Rights of Conservators of Bedford Level.

XXXIV. Provided always, and it is hereby further enacted, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, or Authorities, vested in the Governor, Bailiffs, or Commonalty, of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or in the said Governor, Bailiffs, and Conservators, by virtue of an Act, made in the fifteenth Year of the Reign of King *Charles the Second*, intituled, *An Act for settling the draining of the Great Level of the Fens, called Bedford Level*, or by virtue of any other Act or Statute whatsoever; but that all Rights, Powers, and Authorities whatsoever, which, by virtue of the said Act of the fifteenth of King *Charles the Second*, or of any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs, and Commonalty, or Governor, Bailiffs, and Conservators, or any of them, shall, for ever hereafter, remain, continue, and be in the said Governor, Bailiffs, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Publick Act.

XXXV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, taken, and allowed to be a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

THE
Statutes at Large,

Anno decimo quinto GEORGII III. Regis,

Being the FIRST Session of the

FOURTEENTH Parliament of GREAT BRITAIN.

A

T A B L E

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the fifteenth Year of the Reign of
GEORGE III.

PUBLIC ACTS.

Anno 15 Georgii III.

- A**N ACT to allow the Importation of *Indian Corn* and *Maize*, under certain Restrictions.
2. 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 seventy-five.
3. 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 seventy-five.
4. An ACT for the Regulation of his Majesty's Marine Forces while on Shore.
5. An ACT to repeal so much of an ACT, made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act to prevent the Exportation to Foreign Parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, as relates to *Wool Cards* used in the *Woollen Manufactures* of this Kingdom, intended to be exported to any of his Majesty's Colonies or Plantations in *America*.
6. An ACT for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
7. An ACT to continue for a further Time an ACT, made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his present Majesty, intituled, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time*; and for extending the Provisions of the said ACTs to *Potatoes*, and all Kinds of *Pulse*.
8. An ACT for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thousand seven hundred and seventy-five.
9. An ACT to amend an ACT, made in the ninth Year of the Reign of his present Majesty, for making and maintaining a navigable Canal from the *Coventry Canal* Navigation to the City of *Oxford*.
10. An ACT to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New Hampshire*, and Colonies of *Connecticut*, and *Rhode Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British Islands* in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of *Newfoundland*, or other Places therein mentioned, under certain Conditions and Limitations.
11. An ACT to amend an ACT, made in the eleventh Year of his present Majesty's Reign, *For improving and completing the Navigation of the River Thames and Isis, from the City of London to the Town of Cricklade, in the County of Wilts*.
12. An ACT to enable the Commissioners, acting by virtue of an ACT, made in the twenty-seventh Year of the Reign of his Majesty King *George the Second*, *For draining and preserving the North Level, Part of the Great Level of the Fens, called Bedford Level, and divers Lands adjoining thereto, in the Manor of Crowland*; to charge further Taxes upon the said *North Level*, and the said adjoining Lands.
13. An ACT for the better Relief and Employment of the Poor within the Hundreds of *East and West Flegg*, in the County of *Norfolk*.
14. An ACT to explain and amend an ACT, made in the fourteenth Year of his present Majesty, intituled, *An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journey-men Dyers and Journey-men Hat Pressers, and of*

The TITLES of the STATUTES.

- all Persons employed in the said several Manufactures; and for the better Payment of their Wages.*
15. An Act to amend and render more effectual in his Majesty's Dominions in *America* 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, and for extending the Provisions of the said Act to his Majesty's Marine Forces in America.*
 16. An Act to enable Sir *Nigel Gresley* Baronet, and *Nigel Bowyer Gresley* Esquire, his Son, to make and maintain a navigable Cut or Canal from certain Coal Mines in *Apenale* to *Newcastle under Lyne*, in the County of *Stafford*.
 17. An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers in Cities, Corporations, and Borough Towns whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.
 18. An Act to restrain the Trade and Commerce of the Colonies of *New Jersey*, *Pensylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain Conditions and Limitations.
 19. An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to compound with the Representatives of *Hugh Barlow*, *Herbert Lloyd*, and *William Skyrme*, a Debt due to his Majesty from *William Williams*, deceased.
 20. An Act to amend and render more effectual two Acts, passed in the sixth and tenth Years of the Reign of his present Majesty, for making a navigable Cut or Canal from the River *Trent*, at or near *Wilden-Ferry*, in the County of *Derby*, to the River *Mersey*, at or near *Runcorn-Gap*.
 21. An Act for the better Relief and Employment of the Poor within the Parish of *Saint Mary le Bone*, in the County of *Middlesex*; and for building a Workhouse in the said Parish.
 22. An Act for vesting Part of the Garden of the Society of *Lincoln's Inn*, in the County of *Middlesex*, in the Accountant General of the Court of Chancery, and his Successors, for ever, for the Purpose of erecting thereon Offices for the Accountant General, and for the Register of the said Court.
 23. An Act for building a Workhouse, and for the better Relief and Employment of the Poor, within the Parish of *Saint James, Clerkenwell*, in the County of *Middlesex*.
 24. An Act for incorporating certain Persons, for the Relief of poor Widows and Children of Clergymen within the County of *Huntingdon*.
 25. An Act for taking down the Common Gaol of the County of *Hertford*, and for building a new Gaol in a more commodious Situation.
 26. An Act for appointing Commissioners for putting in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year one thousand seven hundred and seventy-five.*
 27. An Act for admeasuring Waggon and other Carriages used in loading Coals on Board Ships at the several Ports of this Kingdom, in the same Manner as at the Ports of *Newcastle*, and *Sunderland*.
 28. An Act for altering, explaining, and amending several Acts of the Parliament of *Scotland*, respecting Colliers, Coal-bearers, and Salters.
 29. An Act to repeal two Acts, made in the Parliament of *Scotland*, the twenty-eighth Day of *June*, one thousand six hundred and thirty-three, intituled, *All anent the Clan Gregout*, and the fifteenth Day of *June*, one thousand six hundred and ninety-three, intituled, *All for the Justiciary in the Highlands*, so far as relates to the *Mac Gregours*; and to revive an Act of the said Parliament of the twenty-sixth Day of *April*, one thousand six hundred and sixty-one, relative to the People called *Mac Gregours*.
 30. An Act for allowing the Officer appointed to mark or stamp the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom, in pursuance of an Act made in the last Session of Parliament, to take certain Fees in the Execution of his Office.
 31. An Act for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season.
 32. An Act to repeal an Act, passed in the thirty-first Year of the Reign of her Majesty *Queen Elizabeth*. (intituled, *An Act against the erecting and maintaining of Cottages*.)
 33. An Act for settling *Buckingham House* with the Appurtenances upon the Queen, in case she shall survive his Majesty, in lieu of his Majesty's Palace of *Somerset House*; for enabling the Lords Commissioners of his Majesty's Treasury to sell and dispose of *Ely House* in *Holborn*, and for applying the Money to arise by Sale thereof, together with other Monies, in erecting and establishing publick Offices in *Somerset House*, and for embanking certain Parts of the River *Thames* lying within the Bounds of the Manor of the *Savoy*, and for other Purposes therein mentioned.
 34. An Act for encouraging the Manufactures of Rape Oil, and other vegetable Oils, in this Kingdom, by reducing the Duties on Rape Seed, and other Seeds producing Oil, imported from *Ireland*; and for allowing the free Importation of Rape Cakes for Manure from *Ireland* to this Kingdom.
 35. An Act to permit the free Importation of raw Goat Skins into this Kingdom for a limited Time.
 36. An Act to explain and amend an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act to enable the Speaker of the House of Commons to issue his Warrants to make out new Writs for the Choice of Members to serve in Parliament, in the Room of such Members as shall die during the Recess of Parliament*; and for enabling the Speaker of the House of Commons to make out new Writs for the Choice of Members to serve in Parliament, in the Room of such Members as shall during the Recess of Parliament become Peers of *Great Britain*, and be summoned to Parliament; and for suspending the Execution of the said Act with respect to the Borough of *Shaftesbury*, in the County of *Dorset*, during the next Recess of Parliament.
 37. An Act to permit the Importation of painted Earthen Ware (except Galley Tiles), the Manufacture of *Europe*, to be sold in *Great Britain*, and for charging the same with a Duty *ad valorem*.
 38. An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-five.

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39. An Act to impower Justices of the Peace to administer Oaths where any Penalty is to be levied, or Distress to be made, in pursuance of any Act of Parliament, where-in the same is not expressly directed.
40. An Act for amending and explaining an Act, passed in the fourteenth Year of his Majesty's Reign, intituled, *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of Quebec, in America.*
41. An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds *per Centum* Annuities, in the Manner and on the Terms therein mentioned; and for establishing a Lottery.
42. An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-five; and for further appropriating the Supplies granted in this Session of Parliament.
43. An Act for Lighting and Watching the Hamlet of *Highgate* in the County of *Middlesex*.
44. An Act to continue, for a limited Time, so much of an Act made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Sum of Money to be raised by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of England trading to the East Indies*, as obliges the said Company to export annually Goods and Merchandises of the Growth, Product, or Manufacture of *Great Britain* to their Settlements in the *East Indies* to a certain Value.
45. An Act for allowing the Cloathing and Accoutrements necessary for his Majesty's Forces, paid out of his Majesty's Revenues arising in the Kingdom of *Ireland*, to be exported from thence to the Places where such Forces are ordered to serve, and for granting a Bounty upon Flax Seed imported into *Ireland* for a limited Time.
46. An Act for amending and rendering more effectual an Act passed in the eleventh Year of his present Majesty's Reign, intituled, *An Act for regulating and improving the Fisheries in the River Tweed, and the Rivers and Streams running into the same, and also within the Mouth or Entrance of the said River.*
47. An Act for enabling his Majesty to license a Playhouse in the Town of *Manchester*, in the County Palatine of *Lancaster*.
48. An Act to continue the Term of an Act, made in the twenty-second Year of the Reign of his late Majesty King *George the Second*, *For laying a Duty of two Pennies Scots upon every Scots Pint of Beer and Ale which shall be sold or vended, brewed, brought in, or tapped, for Sale, within the Town of Anstruther Easter, and Liberties thereof.*
49. An Act for taking down the Church of *All Saints*, in the Town of *Fulbourne*, and County of *Cambridge*; and for the better repairing, and keeping in Repair, the Church of *Saint Vigors* in the said Town.
50. An Act to enable the Inhabitants of the Parish of *Saint Paul Covent Garden*, in the County of *Middlesex*, to purchase or hire a convenient Piece of Ground, for the Purpose of erecting a Workhouse thereon for the Reception and Employment of the Poor of the said Parish; and for providing an additional Burial Ground for the Use of the said Parish.
51. An Act to restrain the Negotiation of Promissory Notes and Inland Bills of Exchange under a limited Sum, within that Part of *Great Britain* called *England*.
52. An Act for enlarging the Term of Letters Patent, granted by his present Majesty to *William Cookworthy* of *Plymouth*, Chymist, for the sole Use and Exercise of a Discovery of certain Materials for making Porcelain, in order to enable *Richard Campion* of *Bristol*, Merchant (to whom the said Letters Patent have been assigned) to carry the said Discovery into effectual Execution for the Benefit of the Publick.
53. An Act for enabling the two Universities in *England*, the four Universities in *Scotland*, and the several Colleges of *Eton*, *Westminster*, and *Winchester*, to hold in Perpetuity their Copy Right in Books, given or bequeathed to the said Universities and Colleges for the Advancement of useful Learning and other Purposes of Education; and for amending so much of an Act of the eighth Year of the Reign of *Queen Anne*, as relates to the Delivery of Books to the Warehouse Keeper of the Stationers Company, for the Use of the several Libraries therein mentioned.
54. An Act for paving and regulating, and for preventing Nuisances and Obstructions within *New Gravel Lane*, and the several Streets, Lanes, Passages, and Places, within the Parish of *Saint Paul Shadwell*, in the County of *Middlesex*, not comprised in an Act passed in the eleventh Year of his present Majesty's Reign, for paving and regulating *Rosemary Lane*, and the other Places therein mentioned.
55. An Act to explain and amend an Act passed in the fourteenth Year of his present Majesty's Reign, intituled, *An Act for the better Relief and Employment of the Poor within the Parish of Saint Leonard, Shoreditch, in the County of Middlesex; and for building a Workhouse, and for purchasing a Piece of Land for a Burial Ground, for the Use of the said Parish.*
56. An Act for applying the Funds provided for rebuilding the Offices of the Six Clerks of the King's Court of Chancery, by an Act made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Register and Accountant-general of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices; in building Offices for the said Six Clerks in the Garden of Lincoln's Inn, instead of rebuilding the present Six Clerks Office in Chancery Lane; and for other Purposes.*
57. An Act for Watering *Piccadilly*, from the End of *Berkeley Street* to *Hyde Park Gate*, in the Parish of *Saint George Hanover Square*, in the County of *Middlesex*.
58. An Act for lighting the Streets, Lanes, Roads, and publick Passages, within the Town of *Hampstead*, and Parts adjacent within the Parish of *Hampstead*, in the County of *Middlesex*; and for establishing a Nightly Watch therein, and a Patrole between the said Town and *London*.
59. An Act for the better Relief and Employment of the Poor within the Hundreds of *Mistford* and *Launditch*, in the County of *Norfolk*.
60. An Act for extending the Duty of two Pennies Scots, or one-sixth Part of a Penny Sterling, payable on every Pint of Ale and Beer vended or sold in the Village of *Port Glasgow* and the Privileges thereof, over the Town of *Newark*; for supplying the Inhabitants of *Port Glasgow* and *Newark* with fresh Water; for paving, cleaning, lighting, and watching the Streets of the said two Towns; for erecting publick Markets therein; for repairing, and keeping in Repair, the Breast and East and West Quays of the Harbour of *Port Glasgow*, and other Purposes therein mentioned.

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61. An Act for vesting in *James Watt*, Engineer, his Executors, Administrators, and Assigns, the sole Use and Property of certain Steam Engines, commonly called *Fire Engines*, of his Invention, described in the said Act, throughout his Majesty's Dominions, for a limited Time.
62. An Act for completing and maintaining the Pier at the Town of *Mevagissy*, in the County of *Cornwall*.
63. An Act for repairing the Highways and Bridges in the Shire of *Argyll*.
64. An Act for the more easy and speedy Recovery of Small Debts within the Hundred of *Elioe*, in the County of *Lincoln*.
65. An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the several Parishes of *Ramsay*, *Bury*, *Wistow*, *Warboys*, *Somersham*, *Colne*, and *Pidley with Fenton*, in the County of *Huntingdon*, and in the Parishes of *Chatteris* and *Doddington*, within the *Ile of Ely*, in the County of *Cambridge*.
66. An Act for draining and preserving certain Lands and Grounds in the Parishes of *Wisbech Saint Peter's* and *Wisbech Saint Mary's*, and in the Hamlets of *Wisbech Murrow* and *Wisbech Guybirn*, in the *Ile of Ely*, and County of *Cambridge*.
67. An Act for amending and widening the Road leading from *Yarmouth Bridge* through the Hamlet of *South Town*, otherwise *Little Yarmouth*, to *Gorleston*, in the County of *Suffolk*.
68. An Act for enlarging the Term and Powers granted in an Act, made in the third Year of his present Majesty's Reign, for repairing the Road from *Newmarket*, over *Newmarket Heath*, to the Turnpike Road leading to *Stump Cross*, in the Counties of *Cambridge* and *Suffolk*; for repairing the Road branching out of and leading from the aforesaid Road, near *The Devil's Ditch*, on *Newmarket Heath*, to join the present Turnpike Road which leads to *Cambridge*; and for repairing the Highway, through the Town of *Newmarket* to the present Turnpike Road, from thence to *Theford*.
69. An Act for continuing and enlarging the Term and Powers of an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for repairing and widening the Road leading from Porthaethwy Ferry to Holyhead*, in the County of *Anglesey*.
70. An Act to enlarge the Term and Powers of several Acts for repairing the Road from *Beaconsfield*, in the County of *Bucks*, to *Stokenchurch*, in the County of *Oxford*.
71. An Act to continue the Term of an Act, made in the twenty-sixth Year of the Reign of his late Majesty King *George the Second*, for repairing and widening the several Roads in the County of *Peebles*, leading from *Tweed's Cross* towards the City of *Edinburgh*, by *Blythe Bridge*, *La Mancha*, and *Whem*, and by *Linton* and *Carlops*, and from *Ingleston*, through *Carlops*, until all the said Roads join the Limits of the County of *Edinburgh*.
72. An Act for continuing and making more effectual several Acts of Parliament for repairing the Roads from *Luton*, in the County of *Bedford*, to *Westwood Gate*, in the said County, and from *Luton* to *Saint Albans* in the County of *Hertford*.
73. An Act to enlarge the Term of several Acts, passed in the sixth Year of the Reign of Queen *Anne*, the eleventh Year of the Reign of King *George the First*, and the tenth, thirteenth, and thirty-sixth Years of the Reign of his late Majesty King *George the Second*, for repairing the Highways from *Old Stratford*, in the County of *Northampton*, to *Dunchurch*, in the County of *Warwick*; and for more effectually amending the said Highways.

PRIVATE ACTS.

Anno 15 Georgii III.

1. AN ACT for naturalizing *Jacob Henry Suwe*.
2. An Act for dividing and inclosing the Open Arable Fields, Open Meadows, Common Pastures, Common Grounds, and Waste Grounds, within the Parish of *Flintham*, in the County of *Nottingham*.
3. An Act for dividing and inclosing the Open Fields, Meadows, and Common Pastures within the District of *Normanton*, in the Parish of *Southwell*, in the County of *Nottingham*, and also the Open Meadow called *Cow Meadow*, in the said Parish of *Southwell*.
4. An Act for dividing and inclosing the Open Common Fields, Meadows, Pastures, and other Common Lands, within the Hamlet of *Burcot* and Parish of *Dorchester*, in the County of *Oxford*.
5. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, and other Commonable Lands and Grounds, in the Manor and Parish of *Lidlington*, in the County of *Bedford*.
6. An Act to enable *James Greenalgh*, heretofore called *James Styth*, and his Issue, to take and use the Surname of *Greenalgh*, pursuant to the Will of *William Greenalgh* deceased.
7. An Act for naturalizing *George Ernst de Hahn*.
8. An Act for vesting the Estate of *Christopher Whichcote* Esquire, and *Jane* his Wife, situate in the County of *Wilts*, entailed by the Will of *Francis Tregagle* Esquire, deceased, in Trustees, to be sold, and for applying the Monies arising by such Sale in discharging the Incumbrance therein mentioned, and for laying out the Remainder in the Purchase of other Lands and Hereditaments, to be settled to the same Uses.
9. An Act to enable certain Trustees, named in the Settlement of Sir *Stafford Northcote* Baronet, deceased, to raise a competent Sum of Money, by Way of Mortgage of Part of the Hereditaments comprised in such Settlement, to be applied in completing the Purchase of an undivided Moiety, or Half-part of the Manor of *Iddefley*, in the County of *Devon*, to be settled to the same Uses, and for the like Purposes, as the other undivided Moiety of the same Manor stands limited and charged by the Settlement and Will of the said Sir *Stafford Northcote*.
10. An Act for vesting Part of the settled Estates of *Philip Wynell Mayow* Esquire, in *Ashbrenton* alias *Ashprington*, in *Devon*, in Trustees, to be sold; and settling other Estates of greater Value in lieu thereof.
11. An Act for vesting certain Estates and Chattels, devised by the Will of *Richard Rainsford* Esquire, deceased; and Part of certain Estates comprised in a Settlement made on the Marriage of *Richard Raynsford* the younger Esquire, in Trustees, to sell the same; and for applying the Money to arise by such Sale in such Manner as in the said Act mentioned.
12. An Act for dividing and inclosing the Open Fields, and a Parcel of Common or Waste Ground, in the Manors of *Goodmanham*, in the County of *York*.
13. An Act for dividing, inclosing, and improving, certain Commons, Lands, and Grounds, in the Township of *Rigton*, in the Parish of *Kirkby Overblow*, in the County of *York*; and for other Purposes therein mentioned.
14. An Act for dividing and inclosing a large Open and Uncultivated Common, or Tract of Ground, Parcel of the Forest of *Mendip*, situate within the Parishes of *Daulting* and *Stoke Saint Michael*, otherwise *Stake Lane*, in the County of *Somerset*.
15. An Act for dividing and inclosing the Open and Common

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- mon Fields, Common Meadows, Common Pastures, Common Grounds, and Commonable Lands, in the Parish of *Potterspury*, and Hamlet of *Yardley Gobyon*, in the said Parish of *Potterspury*, and also a Parcel of Land called *Kenjon Field*, in the Parish of *Cosgrave*, in the County of *Northampton*.
16. An Act for dividing and inclosing the Wastes, Mosses, Heaths, and Commons, in the Parish of *Hanner* in the County of *Flint*.
 17. An Act for dividing and inclosing the Open Fields, Ings, Meadows, Common Pastures, and other Commonable Lands, within the Parish of *Fulleyby*, in the County of *Lincoln*.
 18. An Act to enable *John Clarke* Esquire (heretofore called *John Plomer*), and the Heirs Male of his Body, to take and bear the Surname and Arms of *Clarke*, pursuant to the Will of *Richard Clarke* Esquire, deceased.
 19. An Act for naturalizing *Charles Bigot*.
 20. An Act for naturalizing *Louis Jouenne*.
 21. An Act for vesting divers Manors, Lands, and Hereditaments, in the County of *Southampton*, the settled Estate of Sir *Jacob Wolf* Baronet, in Trustees, to be conveyed to a Purchaser thereof, and for laying out the Money arising by such Sale in the Purchase of other Estates, to be settled to the same Uses.
 22. An Act for declaring certain Lands, allotted to *John Harrison* Esquire, in the Parish of *Bishop Norton*, in the County of *Lincoln*, to be Copyhold and Freehold respectively, pursuant to the Award of the Commissioners appointed by an Act of Parliament of the eleventh Year of the Reign of his present Majesty, for dividing and inclosing certain Open Fields, Lands, and Grounds, in the Township and Parish of *Bishop Norton*, in the County of *Lincoln*.
 23. An Act for dividing and inclosing the Open Arable Fields, Meadows, Pastures, Commons, and Waste Grounds, in the Township and Parish of *Scrooby*, in the County of *Nottingham*.
 24. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, within the Parish of *Scaldwell*, in the County of *Northampton*.
 25. An Act for dividing, inclosing, and allotting, the several Commons and Waste Lands within the Manor and Parish of *Wolverley*, in the County of *Worcester*.
 26. An Act for naturalizing *Daniel Henry Rucker*.
 27. An Act for exchanging the Advowson of the Church of *Hinton Mertell*, otherwise *Hinton Martell*, in the County of *Dorset*, belonging to his Majesty, for the Advowson of the Church of *Fringford*, otherwise *Ferringford*, in the County of *Oxford*, belonging to the Right Honourable *Mary* Countess Dowager of *Shaftesbury*.
 28. An Act for exchanging certain Lands and Tenements, Part of the Estates comprised in the Settlement made on the Marriage of the Right Honourable *George* Lord Viscount *Torrington*, for certain Lands and Tenements, belonging to the President and Scholars of *Saint John Baptist College*, in the University of *Oxford*; and also for exchanging certain Mills and Lands thereto belonging, likewise comprised in the said Settlement, for certain Lands and Tenements belonging to *John Dilly* Gentleman.
 29. An Act to confirm a Lease, made by *William Lambert*, an Infant, with the Consent of his Guardians, to the Right Honourable *Edward Smith Stanley*, commonly called *Lord Stanley*, of Lands in the Parish of *Woodmanstern*, in the County of *Surrey*.
 30. An Act to enable the Reverend *John Blackburn*, Vicar of the Parish and Parish Church of *Bessall*, in the County of *York*, to make and establish an Exchange of certain Messuages, Tenements, Lands, and Hereditaments; in the said County of *York*, for other Lands and Hereditaments, in the same County, belonging to *Henry Brewster Darley* Esquire.
 31. An Act to exchange Lands between the Trustees of a certain Charity Estate at *Hanwell*, in the County of *Middlesex*, and *William* and *Henry Burners*, Esquires.
 32. An Act for effecting an Exchange between *John Parker* and *Montagu Edmund Parker*, Esquires, of Parts of their settled Estates, in the County of *Devon*; and for other Purposes therein mentioned.
 33. An Act for vesting several Messuages, Lands, and Hereditaments, in the County of *Devon*, and City of *Exeter*, late the Estate of *Robert Stone* Gentleman, deceased, in Trustees, to enable them to convey the same to the Purchasers thereof; and to apply the Money arising by such Sale in Payment of the Debts of the said *Robert Stone*, pursuant to a Decree of the Court of Chancery.
 34. An Act for vesting in Trustees several Messuages, Lands, Tenements, and Hereditaments, in the Parishes of *Arthuret* and *Kirk Andrews*, in the County of *Cumberland*, Part of the Estate of *Catherine Widdrington*, commonly called *Catherine Lady Widdrington*, deceased, for a Term of five hundred Years, for raising and paying certain Sums of Money to the Reverend *Robert Graham* Clerk; and for other Purposes therein mentioned.
 35. An Act for dividing and inclosing certain Common and Open Fields and Meadows, in the Parish of *Cranford* in the County of *Northampton*.
 36. An Act for dividing and inclosing the Open and Common Fields, and all other Commonable Land, within the Parish of *Cleeve Prior*, in the County of *Worcester*.
 37. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, within the Parish of *Bengworth*, in the County of *Worcester*.
 38. An Act for dividing and inclosing the Open and Common Fields, and all other Commonable Land, within the Precincts of the Chapelry or Township of *Pinvin*, in the County of *Worcester*.
 39. An Act to confirm and establish an Agreement and Award, for dividing and inclosing the Common Fields, and other Commonable Lands and Grounds, within the Manor of *Adlestrop*, in the County of *Gloucester*.
 40. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Meadows, Common Pastures, and all other the Commonable Grounds, in the Hamlets or Tithings of *Broadwell* and *Filkins*, in the Manor and Parish of *Broadwell*, otherwise *Broadwell Saint John*, in the County of *Oxford*.
 41. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, Commonable Closes, Common Grounds, Heath, and Waste Grounds, within the Manor and Parish of *Great Rollwright*, in the County of *Oxford*.
 42. An Act for naturalizing *Charles Louis Spitta*.
 43. An Act for naturalizing *John Peter Aubery*.
 44. An Act to enable *John Duke* of *Argyll* to sell certain Rights of Servitude over Lands, in the County of *Argyll*, belonging in Property to *Hugh Seton* Esquire, and Sir *James Campbell* Baronet.
 45. An Act for carrying into Execution an Agreement made between *John* Earl of *Breadalbane*, and *James Menzies* of *Culdares*, for the Exchange of certain Lands in the County of *Perth*.
 46. An Act for vesting divers Manors, Messuages, Lands, and Hereditaments, in the Counties of *Essex* and *Norfolk*, being the settled Estates of *James* Lord Viscount *Grimston*, of the Kingdom of *Ireland*, in Trustees, to be sold, for discharging Portions and Incumbrances, and

for

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- for laying out the Residue of the Money arising by such Sale in the Purchase of other Messuages, Lands, and Hereditaments, situate and being in the County of *Hertford*, to be settled, in lieu thereof, to the like Uses.
47. An Act for establishing and confirming Exchanges of divers Lands and Hereditaments, in the Parish of *Rowsham*, in the County of *Oxford*, pursuant to Articles of Agreement between Sir *Charles Cottrell Dormer*, *Benjamin Holloway* Esquire, and the Reverend *Harry Lee*; and for other Purposes therein mentioned.
48. An Act to enable the Right Honourable Sir *John Shelley* Baronet, and the Trustees named in the Settlement on his Marriage with Dame *Wilhelmina Shelley* deceased, his late Wife, to convey Part of the Estates, in the County of *Suffex*, comprised in such Settlement, in Exchange for, or in lieu of, other Estates belonging to the said Sir *John Shelley*, in the same County.
49. An Act for confirming and rendering effectual a Partition and Division, made by and between Sir *James Pennyman* Baronet, *Charles Anderson Pelham* Esquire, and *Michael Newton* Esquire, of divers Manors, Lands, and Hereditaments, in the Counties of *York*, *Lincoln*, and *Middlesex* and City of *London*, late the Estates of Sir *Michael Warton* Knight, deceased; and for settling and limiting the entire and specific Parts and Shares, which, upon the said Partition and Division, have been allotted to each of them, to the several Uses therein mentioned.
50. An Act for vesting a Freehold Estate, late of *Eliab Harvey* Esquire, deceased, called *Buckhouse*, otherwise *Munckham*, situate in the Parishes of *Woodford* and *Chigwell*, in the County of *Essex*, in Trustees, and their Heirs, in Trust, to sell and convey the same as therein mentioned; and for applying the Money arising by Sale thereof for the Benefit of *Edward Harvey*, an Infant, his only Son, and Heir at Law; and for the other Purposes therein mentioned.
51. An Act to enable *Peter Legh* Esquire, and the Reverend *Abburnham Legh* Clerk, to grant Building and Improving Leases of Part of their settled Estates, within the Counties of *Lancaster* and *Chester*.
52. An Act for vesting certain Manors, Messuages, Lands, Rents, and Hereditaments, in the Counties of *Kent* and *Middlesex*, Part of the settled Estates of *Meliora Dicconson*, the Wife of *William Dicconson* Esquire, in Trustees, to be sold; and for investing the Money arising by such Sale in the Purchase of other Lands and Hereditaments, to be settled to the same Uses.
53. An Act to enable the Dean and Chapter of the Cathedral Church of *Worcester*, and *Rowland Berkeley* Esquire, to make and establish an Exchange of certain Lands and Tithes, in the Parish of *Cotheridge*, in the County of *Worcester*.
54. An Act for Sale of the Estate of *Elizabeth Smart*, an Infant, in the Counties of *Durham* and *Northumberland*.
55. An Act to subject and charge the Prebend Manor of *Mych Milton*, in the County of *Oxford*, and the Lands, Tenements, and Hereditaments, thereunto belonging, with the Payment of two several perpetual yearly Rent Charges, or annual Payments, to the Reverend *John Wheeldon*, and his Successors, Prebendaries of the Prebend of *Mych Milton* aforesaid; and for divesting the Fee Simple and Inheritance thereof out of him and his Successors, and for vesting the same, so charged, in the Reverend *Charles Sturges*, his Heirs and Assigns.
56. An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Part or Parts of the Estate of *Ednam*, in the County of *Roxburgh*, formerly belonging to *James Dickson* Esquire, deceased, and now to Captain *William Dickson*, as shall be sufficient for Payment of the Debts affecting the same.
57. An Act for vesting Part of the settled Estates of *William Peacocke* Esquire, and *Emma* his Wife, in the Parish of *Llanedwan*, in the County of *Anglesea*, in the said *William Peacocke*, in Fee Simple, and for settling an Estate of the said *William Peacocke*, in the Parish of *Pennynydd*, in the same County, of greater Value, in lieu thereof.
58. An Act for vesting the Fee Simple and Inheritance of the Estates late of *Robert Doyne* Esquire, deceased, in Trustees, to sell and dispose of so much thereof as may be sufficient to pay off and discharge all the Debts, Legacies, and other Incumbrances affecting the said Estates; and for the other Purposes therein mentioned.
59. An Act for vesting the Estates of *Edmund Bull* Esquire, in the County of *Hertford*, and City of *London*, in Trustees, to be sold, for the Payment of Debts and Incumbrances; and other Purposes therein expressed.
60. An Act for vesting in the Reverend *William Peacock* and his Heirs, in Fee Simple, Part of the Glebe Lands, and the Tithes, of the Parish of *Darby Wiske*, and *Gafferton* otherwise *Yafferton*, in the County of *York*; and for settling certain Freehold Estates of the said *William Peacock* in him and his Successors, Rectors of the said Parish, in lieu thereof; and for other Purposes therein mentioned.
61. An Act for vesting certain Freehold Estates, in the Counties of *Berks* and *Wilts*, devised by the Will of *William Pitt* Esquire, deceased, in Trustees, to be sold, and for laying out the Money arising by such Sale, in the Purchase of other Lands and Hereditaments, to be settled, in lieu thereof, to such of the Uses limited or devised by the said Will, as are, or shall be, capable of taking Effect.
62. An Act to enable *Mordecai Greene* Esquire, and *Mary* his Wife, to carry into Execution an Agreement made for and on the Behalf of *Alice Bland* Widow, deceased, with *Ralph Milner*; and also to grant Building and Repairing Leases of such Parts of the Estates of the said *Alice Bland*, as lie in or near the Town of *Manchester*, and also Leases for twenty-one Years, of other the Estates late of the said *Alice Bland*.
63. An Act for vesting the Freehold and Copyhold Estates, entailed by the Will of *William Lock* Esquire, deceased, in Trustees, to be sold; and for purchasing other Estates, to be settled to the same Uses, subject to the Annuities and other Charges thereon; and for other Purposes therein mentioned.
64. An Act for vesting the settled Estates devised by the Will of *Thomas Dudley*, deceased, in Trustees, to be sold, and for applying the Money arising by such Sale in the Purchase of Lands, Tenements, or Hereditaments, to be settled to the like Uses.
65. An Act for vesting certain Parts of divers Messuages, Wharfs, and Hereditaments, called *Mountague Close*, in the County of *Surrey*, in Trustees, in Trust, to sell the same; and for other Purposes therein mentioned.
66. An Act for vesting the several Estates of the late *Samuel Heming* Esquire, situate in *Jamaica*, in Trustees, in Trust, to sell the same, for the Payment of the Incumbrances thereon, and of his Debts; and for other Purposes.
67. An Act for inclosing and improving several Grounds, in the Parish of *Sledmire*, in the East Riding of the County of *York*.
68. An Act for dividing and inclosing the Open Fields, Meadows, Commons, and Waste Grounds, lying in the Parish of *Hickling*, in the County of *Nottingham*.

The TITLES of the STATUTES.

69. An Act for dividing and inclosing the Open and Common Fields, Hills, Sleights, and other Commonable Lands, within the Hamlet of *Cutsden* otherwise *Cuttefden*, in the Parish of *Bredon*, in the County of *Worcester*.
70. An Act for dividing and inclosing the Common Fens, Common Meadows, Common Fields, and Waste Grounds, in the Parish of *Quadring*, and in *Quadring Hundred*, in the County of *Lincoln*.
71. An Act for dividing and inclosing the Commons and Common Meadows, in the Liberty of *Brinsley*, in the Parish of *Greasley*, in the County of *Nottingham*.
72. An Act for dividing, allotting, and inclosing, a certain Stinted Pasture, called *Stockham Marsh*, in the Parish of *Bremhill*, in the County of *Wilts*; and for exonerating certain old Inclosures within the said Parish from the Payment of Tithes.
73. An Act for dividing and inclosing the Open Fields, and Commonable Places, of *Long Itchington*, and *Bascote*, in the County of *Warwick*.
74. An Act for dividing and inclosing certain Open Arable Fields, Meadows, Pastures, Commons, and Waste Grounds, in the Parish of *Sutton cum Lound*, in the County of *Nottingham*.
75. An Act for dividing and inclosing the Open Fields, Meadows, Common Pastures, and other Commonable Lands and Waste Grounds, within the Parish of *Knapwell*, in the County of *Cambridge*.
76. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, of and within the Parish and Liberties of *Braunston*, in the County of *Northampton*.
77. An Act for dividing and inclosing the Open and Common Field and Commonable Land, lying within the Townships, Liberties, and Precincts of *Upper Tadmarton* and *Lower Tadmarton*, in the County of *Oxford*.
78. An Act for dividing and inclosing the Open Fields, Meadows, and Commons or Waste Grounds, within the Hamlets of *Lea* and *Marston*, in the Parish of *Lea Marston*, in the County of *Warwick*; and also certain Pieces of Waste Ground, within the Liberty of *Dunton*, in the Parish of *Curdworth*, in the said County.
79. An Act for dividing and laying in Severalty the Open and Common Fields, and Part of the Open and Common Downs, called *Southcott* and *Kepnell Down*, *Work Down*, and other Commonable Places; and also for dividing and inclosing *Pewsey Common*, in the Parish of *Pewsey*, in the County of *Wilts*.
80. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Meadows, Common Pastures, and all other the Commonable Grounds, in the Parish of *Brize Norton*, in the County of *Oxford*.
81. An Act to render valid and effectual certain Articles of Agreement, for inclosing and dividing the Commons and Waste Grounds in the Manor and Parish of *Kildale*, in the County of *York*.
82. An Act for dividing and inclosing the Open Common Fields, Lands, Pastures, and Commonable Grounds, within the Township, Liberties, and Precincts of *Claydon*, in the Parish of *Crapedy*, in the County of *Oxford*.
83. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, in the Parish of *Todnam* otherwise *Todenham*, in the County of *Gloucester*.
84. An Act for dividing and inclosing a Moor, called *Alnham Moor* or *Alnham Common*, and also the *Infield Grounds* of the Township of *Alnham*, in the Parish of *Alnham*, in the County of *Northumberland*.
85. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Meadows, Commonable Lands, and Commons, within the Parish and Liberties of *Spaldwick with Upthorpe*, in the County of *Huntingdon*.
86. An Act to dissolve the Marriage of *Robert Greene* Merchant with *Juliana Greene*, otherwise *Judge*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
87. An Act for naturalizing *Levina Benjamina Goodricke*.
88. An Act for rendering effectual a Proposal, or Agreement, made between the Duke of *Buccleugh* and the Lord Bishop of *Winchester*, for exchanging and enfranchising certain Leasehold and Copyhold Lands and Hereditaments, in the Parish and Manor of *Adderbury*, in the County of *Oxford*; and for enabling the said Bishop to grant Leases in Manner therein mentioned.
89. An Act for appointing new Trustees, to carry into Execution an Act, passed in the eighth Year of his present Majesty's Reign, intituled, *An Act for the more effectually carrying into Execution an Act, made in the sixth Year of the Reign of his present Majesty, intituled, An Act for vesting in Trustees the settled Estate of Washington Earl Ferrers, in the County of Derby, to be sold, for satisfying the Incumbrances and Portions affecting the same, and the rest of the settled Estate, and for other Purposes therein mentioned*, in the Room and Stead of those appointed by the said Act, who are desirous of resigning the Trust thereby reposed in them.
90. An Act for the Sale and Enfranchisement of certain Copyhold Tenements and Premises, in the Parish of *Leeds*, in the County of *York*, Part of the Estate belonging to the Free Grammar School there, for the Purpose of erecting a publick Cloth Hall, and making Avenues or Passages thereto; and for applying the Purchase Money for the Benefit of the said School.
91. An Act to confirm several Building Leases, already granted by the Right Honourable the Earl of *Seston*, of the Kingdom of *Ireland*, of Part of his settled Estates in the County of *Lancaster*; and to enable him during his Life, and after his Decease the Trustee during the Minority of any Infant, to grant other Building and Improving Leases; and for other Purposes in the said Act mentioned.
92. An Act for vesting certain Lands at *Hadley*, in the Parish of *Wellington*, in the County of *Salop*, devised by the Will of the Reverend *Joshua Pulford* Clerk, deceased, in *Joshua Freeman* and his Heirs.
93. An Act to enable the Reverend *Edmund Hodshon*, Rector of *Spennithorne*, in the County of *York*, to exchange the Tithes of the Townships of *Harnby* and *Spennithorne*, for Lands in the Parish of *Goverham*, in the County of *York*, belonging to Mr. *William Baynes*, to be settled to the same Uses.
94. An Act for explaining, amending, and enlarging, the Powers granted by an Act, passed in the eighteenth Year of his late Majesty King *George* the Second, intituled, *An Act for Sale of certain Leasehold Estates, late of Sarah Eaton deceased, and by her devised to the Provost, Fellows, and Scholars, of Worcester College, in the University of Oxford, and for laying out the Money arising thereby in the Purchase of Fee Simple Estates; and for other Purposes therein mentioned*; and for indemnifying the acting Trustee or Trustees, appointed under the said Act, for having expended a larger Sum of Money than allowed by that Act; and for other Purposes therein mentioned.
95. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, and Commonable Lands, within the Parish of *Wootton Wawen* otherwise *Waves Wootton*, in the County of *Warwick*.

T H E

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Sexto.

‘ **A**T the Parliament begun and holden at *Westminster*, the twenty-ninth Day of *November*, Anno
‘ *Domini* one thousand seven hundred and seventy-four, in the fifteenth Year of the Reign of
‘ our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain, France,*
‘ and *Ireland*, King, Defender of the Faith, &c.
‘ And from thence continued, by several Prorogations, to the twenty-sixth Day of *October* one thousand
‘ seven hundred and seventy-five; being the second Session of the fourteenth Parliament of *Great Britain*.

C A P. I.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-six.

C A P. II.

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

C A P. III.

An Act to enable his Majesty for a limited Time to call out and assemble the Militia in all Cases of Rebellion within this Realm of *Great Britain*, or any of the Dominions thereunto belonging; and to summon the Parliament in the Cases and Manner therein mentioned.

‘ **W**HEREAS by an Act made in the second Year of the Reign of his present Majesty, (intituled,
‘ *An Act to explain, amend, and reduce into one Act of Parliament the several Laws now in being, re-*
‘ *lating to the raising and training the Militia, within that Part of Great Britain called England*); it is,
‘ amongst other Things, enacted, That in case of actual Invasion, or upon imminent Danger thereof, or
‘ in case of Rebellion, it may and shall be lawful for his Majesty, his Heirs and Successors (the Occasion
‘ being first communicated to Parliament, if the Parliament shall be then sitting, or declared in Council,
‘ and notified by Proclamation, if no Parliament shall be then sitting, or in being), to order and direct his
‘ or their Lieutenants and Deputy Lieutenants therein mentioned, with all convenient Speed, to draw out
‘ and embody all the Regiments and Battalions of Militia of their respective Counties, Ridings, or Places,
‘ or so many of them as his Majesty, his Heirs and Successors, shall judge necessary, in such Manner as
‘ shall be best adapted to the Circumstances of the Danger, and to direct them to be employed in such
‘ Manner as is therein more particularly mentioned: And whereas it might be of great public Utility,
‘ that the Militia of this Kingdom should be drawn out, embodied, and employed as aforesaid, upon Oc-
‘ casion of the present Rebellion in *America*, or of any Rebellion that may hereafter arise in any of the
‘ Dominions of the Crown of *Great Britain*, that his Majesty may be the better enabled to employ his
‘ other Forces for the suppressing of such Rebellion, and at the same time to provide for the Defence of
‘ these Kingdoms;’ 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 assem-
‘ bled, and by the Authority of the same, That in all Cases of Rebellion within this Realm of *Great Britain*,
‘ or any of the Territories or Dominions thereunto belonging (the Occasion being first communicated, de-
‘ clared, and notified, as in the said Act is provided), it shall and may be lawful for his Majesty, his Heirs
‘ and Successors, to order and direct all the Regiments and Battalions of Militia, of the respective Counties
‘ or Places in this Kingdom, or so many of them as his Majesty, his Heirs and Successors, shall judge ne-
‘ cessary, to be drawn out, embodied, led, and employed, in any Parts of this Kingdom, in such Manner
‘ and upon the like Terms, Conditions, and Regulations, to all Purposes and Effects whatsoever, as in the
‘ said Act are provided in the Cases therein mentioned.

Preamble.
Act 2 Geo. III.
recited.

His Majesty, &c.
in case of Re-
bellion, may em-
body the Militia;

II. Provided always, and be it enacted by the Authority aforesaid, That if at any Time (in case of any Rebellion within this Realm of *Great Britain*, or any of the Territories or Dominions thereunto belonging) the Parliament shall happen to be separated by such Adjournment or Prorogation, as will not expire within

and assemble the
Parliament, on
giving 14 Days
Notice.

within fourteen Days, it shall be lawful for his Majesty, his Heirs and Successors, to issue a Proclamation for the Meeting of the Parliament, upon such Day as he or they shall thereby appoint, giving fourteen Days Notice of such Appointment, and the Parliament shall accordingly meet upon such Day, and continue to sit and act in like Manner, to all Intents and Purposes, as if it had stood adjourned or prorogued to the same Day.

This Act to continue in Force for seven Years.

III. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for the Space of seven Years, and from thence to the End of the then next Session of Parliament; and no longer.

C A P. IV.

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 seventy-six. 4 s.

C A P. V.

An Act to prohibit all Trade and Intercourse with the Colonies of *New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania*, the three Lower Counties on *Delaware, Maryland, Virginia, North Carolina, South Carolina*, and *Georgia*, during the Continuance of the present Rebellion within the said Colonies respectively; for repealing an Act, made in the fourteenth Year of the Reign of his present Majesty, to discontinue the Landing and Discharging, Lading or Shipping, of Goods, Wares, and Merchandise, at the Town and within the Harbour of Boston, in the Province of Massachusetts Bay; and also two Acts, made in the last Session of Parliament, for restraining the Trade and Commerce of the Colonies in the said Acts respectively mentioned; and to enable any Person or Persons, appointed and authorized by his Majesty to grant Pardons, to issue Proclamations, in the Cases and for the Purposes therein mentioned.

Preamble.

WHEREAS many Persons in the Colonies of *New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania*, the three Lower Counties on *Delaware, Maryland, Virginia, North Carolina, South Carolina*, and *Georgia*, have set themselves in open Rebellion and Defiance, to the just and legal Authority of the King and Parliament of Great Britain, to which they ever have been, and of Right ought to be, subject; and have assembled together an armed Force, engaged his Majesty's Troops, and attacked his Forts; have usurped the Powers of Government, and prohibited all Trade and Commerce with this Kingdom, and the other Parts of his Majesty's Dominions: For the more speedily and effectually suppressing such wicked and daring Designs, and for preventing any Aid, Supply, or Assistance, being sent thither during the Continuance of the said rebellious and treasonable Commotions, be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Manner of Trade and Commerce is and shall be prohibited with the Colonies of *New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania*, the three Lower Counties on *Delaware, Maryland, Virginia, North Carolina, South Carolina*, and *Georgia*; and that all Ships and Vessels of or belonging to the Inhabitants of the said Colonies, together with their Cargoes, Apparel, and Furniture, and all other Ships and Vessels whatsoever, together with their Cargoes, Apparel, and Furniture, which shall be found trading in any Port or Place of the said Colonies, or going to trade, or coming from trading, in any such Port or Place, shall become forfeited to his Majesty, as if the same were the Ships and Effects of open Enemies, and shall be so adjudged, deemed, and taken in all Courts of Admiralty, and in all other Courts whatsoever.

All Trade and Commerce with the rebellious Colonies prohibited, on Pain of Forfeiture of Vessels, Cargoes, &c.

Proviso.

II. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to such Ships and Vessels as shall be actually retained or employed in his Majesty's Service, or to such Ships and Vessels as shall be laden with Provisions for the Use of his Majesty's Fleets, Armies, or Garrisons, or for the Use of the Inhabitants of any Town or Place garrisoned or possessed by any of his Majesty's Troops, provided the Masters of such Ships and Vessels respectively shall produce a Licence in Writing, under the Hand and Seal of the Lord High Admiral of Great Britain for the Time being, or of three or more Commissioners for the Time being for executing the Office of Lord High Admiral of Great Britain, or of the Commanders of his Majesty's Fleets or Armies, or of the Governor, Lieutenant Governor, or Commander in Chief of any of his Majesty's Colonies or Provinces not herein before mentioned, specifying the Voyage in which such Ship or Vessel shall be employed, and expressing the Time for which such Licence shall subsist and be in Force, and also expressing the Quantity and Species of the said Stores and Provisions on Board: And if any Goods, Wares, or Merchandises, other than Stores and Provisions for his Majesty's Use, or Provisions for the Use of the Inhabitants of any Town or Place garrisoned and possessed by his Majesty's Troops, shall be found on Board such Ships or Vessels (the necessary Stores for the Ship's Use, and the Baggage of the Passengers, only excepted), in any or either of those Cases, the said Goods, Wares, and Merchandises, shall be forfeited, and shall and may be seized and prosecuted in the Manner herein after directed.

Sole Property of all Prizes vested in the Captors.

III. And, for the Encouragement of the Officers and Seamen of his Majesty's Ships of War, be it further enacted, That the Flag Officers, Captains, Commanders, and other commissioned Officers in his Majesty's Pay, and also the Seamen, Marines, and Soldiers on Board, shall have the sole Interest and Property

Property of and in all and every such Ship, Vessel, Goods, and Merchandise, which they shall seize and take (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty), to be divided in such Proportions, and after such Manner, as his Majesty shall think fit to order and direct by Proclamation or Proclamations hereafter to be issued for those Purposes.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Flag Officers, Captains, and Commanders respectively, to cause to be taken, or put on Board any of his Majesty's Ships or Vessels of War, or on Board any other Ships or Vessels, all and every the Masters, Crews, and other Persons, who shall be found on Board such Ship and Ships as shall be seized and taken as Prize as aforesaid; and also to enter the Names of such of the said Mariners and Crews, upon the Book or Books of his Majesty's said Ships or Vessels, as they, the said Flag Officers, Captains, and Commanders, shall respectively think fit; from the Time and Times of which said Entries respectively, the said Mariners and Crews shall be considered, and they are hereby declared to belong to, and to be as much in the Service of his Majesty, to all Intents and Purposes, as if the said Mariners and Crews had entered themselves voluntarily to serve on Board his Majesty's said Ships and Vessels respectively; and also that it shall and may be lawful to and for the said Flag Officers, Captains, and Commanders respectively, to detain, or cause to be detained and kept, the Masters and other Persons, and also such others of the Mariners and Crews of the said Prize Ships as shall not be entered upon the Books of his Majesty's Ships or Vessels of War as aforesaid, in and on Board any Ship or Ships, Vessel or Vessels whatsoever, until the Arrival of such last-mentioned Ships or Vessels in some Port in *Great Britain or Ireland*, or in any Port of *America* not in Rebellion; and upon the Arrival of those Ships or Vessels in any such Port, the Commanders thereof are hereby respectively authorised and required immediately to set the said last-mentioned Mariners and Crews, and also the said Masters and other Persons, at Liberty on Shore there.

V. And, for the more speedy proceeding to Condemnation or other Determination of any Prize, Ship, or Vessel, Goods, or Merchandises, to be taken as aforesaid, and for lessening the Expences that have been usual in the like Cases, be it further enacted by the Authority aforesaid, That the Judge or Judges of such Court of Admiralty, or other Person or Persons thereto authorised, shall, within the Space of five Days after Request to him or them for that Purpose made, finish the usual preparatory Examinations of the Persons commonly examined in such Cases, in order to prove the Capture to be lawful Prize, or to inquire whether the same be lawful Prize or not; and that the proper Monition usual in such Cases shall be issued by the Person or Persons proper to issue the same, and shall be executed in the usual Manner by the Person or Persons proper to execute the same, within the Space of three Days after Request in that Behalf made; and in case no Claim of such Capture, Ship, Vessel, or Goods, shall be duly entered or made in the usual Form, and attested upon Oath, giving twenty Days Notice after the Execution of such Monition; or if there be such Claim, and the Claimant or Claimants shall not within five Days give sufficient Security (to be approved of by such Court of Admiralty) to pay double Costs to the Captor or Captors of such Ship, Vessel, or Goods, in case the same so claimed shall be adjudged lawful Prize, that then the Judge or Judges of such Court of Admiralty shall (upon producing to him or them the said Examinations or Copies thereof, and upon producing to him or them, upon Oath, all Papers and Writings which shall have been found taken in or with such Capture, or upon Oath made that no such Papers or Writings were found) immediately, and without further Delay, proceed to Sentence, either to discharge and acquit such Capture, or to adjudge and condemn the same as lawful Prize, according as the Case shall appear to him or them upon Perusal of such preparatory Examinations, and also of the other last-mentioned Papers and Writings found taken in or with such Capture, if any such Papers or Writings shall be found; and in case such Claim shall be duly entered or made, and Security given thereupon according to the Tenor and true Meaning of this Act, and there shall appear no Occasion to examine any Witnesses other than what shall be then near to such Court of Admiralty, that then such Judge or Judges shall forthwith cause such Witnesses to be examined within the Space of ten Days after such Claim made and Security given, and proceed to such Sentence, as aforesaid, touching such Capture: But in case, upon making or entering such Claim, and the Allegation and Oath thereupon, or the producing such Papers or Writings as shall have been found or taken in or with such Capture, or, upon the said preparatory Examinations, it shall appear doubtful to the Judge or Judges of such Court of Admiralty, whether such Capture be lawful Prize or not, and it shall appear necessary, according to the Circumstances of the Case, for the clearing and determining such Doubt, to have an Examination, upon Pleadings given in by the Parties and admitted by the Judge, of Witnesses that are remote from such Court of Admiralty, and such Examination shall be desired, and that it be still insisted on, on Behalf of the Captors, that the said Capture is lawful Prize, and the contrary be still persisted in on the Claimants Behalf; that then the said Judge or Judges shall forthwith cause such Capture to be appraised by Persons to be named by the Parties and appointed by the Court, and sworn truly to appraise the same according to the best of their Skill and Knowledge; for which Purpose the said Judge or Judges shall cause the Goods found on Board to be unladen, and (an Inventory thereof being first taken by the Marshal of the Admiralty or his Deputy) shall cause all such Parts of the Goods and Merchandise as are perishable Commodities to be sold by public Sale, for the clear Amount of which only the Captors shall be answerable to the Claimants, and the Remainder of them to be put into proper Warehouses, with separate Locks, of the Collector and Comptroller of the Customs, and, where there is no Comptroller, of the Naval Officer and the Agents or Persons employed by the Captors and Claimants, at the Charge of the Party or Parties desiring the same; and shall, after such Appraisal made, and within the Space of fourteen Days after the making of such Claim, proceed to take good and sufficient Security from the Claimants to pay the Captors the full Value thereof, according to such Appraisal, in case the same shall be adjudged lawful Prize; and shall also proceed to take good and sufficient Security from the Captors to pay such Costs as the Court shall think proper, in case such Ship shall not be condemned as lawful Prize; and, after such Securities duly given, the said Judge or

Crews of Prizes may be put on Board his Majesty's Ships,

and their Names entered on the Ships Books:

Those, whose Names are not entered, to be set on Shore in *Great Britain*, &c.

Judges in Courts of Admiralty, how to proceed in Condemnation of Prizes.

Prizes to be appraised;

and, on Parties giving sufficient Security, to be delivered to the Claimants.

Judges shall make an interlocutory Order for releasing or delivering the same to such Claimant or Claimants, or his or their Agents, and the same shall be actually released or delivered accordingly.

If Claimants refuse such Security,

VI. And it is hereby further enacted by the Authority aforesaid, That if any Claimant or Claimants shall refuse to give such Security, the Judge or Judges shall cause the Captor or Captors in like Manner to give good and sufficient Security to pay the said Claimant or Claimants the full Value thereof according to the Appraisement, in case any such Capture or Captures shall be adjudged not to be lawful Prize; and the said Judge or Judges shall thereupon proceed to make an interlocutory Order for the releasing and delivering the same to the said Captor or Captors, or their Agents.

Prize to be delivered to the Captors.

Books, Papers, &c. found in any Prize, to be brought into the Admiralty Court, &c.

VII. And be it further enacted by the Authority aforesaid, That all Books, Papers, and Writings, found in any Ship or Vessel taken as Prize, shall, without Delay, upon the Oath of the Captor, be brought into the Registry of the Court of Admiralty wherein such Ship or Vessel may be proceeded against in order to Condemnation; but that such only of the said Books, Papers, and Writings, shall be made use of and translated, as shall be agreed or insisted upon by the Proctors of the several Parties, Captors or Claimants, or, in case of no Claim, by the Captor or Register, to be necessary for ascertaining the Property of such Ship or Vessel, and the Cargo thereof, and the Destination of the Voyage.

All Captures brought into any of his Majesty's Dominions in America, to be under the Care of the Collector, &c.

VIII. And be it further enacted by the Authority aforesaid, That all such Captures as aforesaid, which shall be brought into any of his Majesty's Dominions in *America*, in order to be proceeded against to Condemnation in any of his Vice-admiralty Courts, shall, without breaking Bulk, stay there, and be under the joint Care and Custody of the Collector and Comptroller of the Customs, or, where there is no Comptroller, of the Naval Officers of the Port or Place where the same shall be brought, and all the Captors thereof, and their Agents, subject to the Directions of the Court of Vice-admiralty, until either the same shall, by final Sentence, have been either cleared and discharged, or adjudged and condemned as lawful Prize, or that such interlocutory Order as aforesaid shall have been made for the releasing or delivering of the same unto such Person or Persons, and to be so divided and disposed of, as his Majesty, his Heirs and Successors, shall, by Proclamation or Proclamations hereafter to be issued for those Purposes, order and direct.

Proviso.

IX. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Captures which shall be taken by virtue of this Act, shall be carried into any of the Colonies or Plantations in *America* herein before particularly mentioned, during and so long Time as such Colonies or Plantations respectively shall continue in a State of Rebellion.

Any Judge, or other Officer, neglecting his Duty,

X. And be it further enacted by the Authority aforesaid, That if any Judge or Judges, or other Officer or Officers, in any of his Majesty's Colonies or Dominions abroad, to whom respectively it shall appertain, shall delay the doing, performing, making, or pronouncing any of the several Proceedings, Matters, or Things, for, towards, or relating to, condemning or discharging, releasing or delivering, of any such Capture in Manner aforesaid, within the respective Times herein before limited, or as soon as the same ought to be done, according to the Tenor and true Meaning of this Act, all and every such Judge and Judges, and other Officer and Officers, shall, for every such Offence, forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety thereof, with full Costs of Suit, to such Person or Persons who shall inform or sue for the same, in any of his Majesty's Courts in any of his Colonies or Dominions wherein such Offence shall be committed.

to forfeit good.

No Register, &c. in any Court of Admiralty, shall act as Advocate, &c.

XI. And be it further enacted by the Authority aforesaid, That no Register or Deputy Register, nor any Marshal or Deputy Marshal, of or belonging to any of his Majesty's Courts of Admiralty or Vice-admiralty whatsoever, shall, either directly or indirectly, by himself or themselves, or by any Agent or Agents, or other Person or Persons whatsoever, act or be concerned in any Manner, either as an Advocate or Proctor, in any Cause, Matter, or Business whatsoever, that shall be depending in any such Court or Courts of Admiralty, to which such Register, Deputy Register, Marshal, or Deputy Marshal, shall then belong; and that every Register, Deputy Register, Marshal, or Deputy Marshal, who shall be guilty of such Offence (being thereof lawfully convicted, either upon an Information or Indictment), shall from thenceforth absolutely forfeit his respective Office and Employment of Register, Deputy Register, Marshal, or Deputy Marshal, in and belonging to the same Court.

on Penalty of forfeiting his Office.

Fees to be taken by the Officers in Courts of Vice-admiralty.

XII. And be it further enacted by the Authority aforesaid, That there shall not be paid unto or among all the Judges and Officers of any Court of Vice-admiralty in any of his Majesty's Dominions, for, towards, or relating to, the adjudging or condemning of such Capture as aforesaid, as lawful Prize, above the Sum of ten Pounds, in case such Prize Ship or Vessel be under the Burthen of one hundred Tons, nor above the Sum of fifteen Pounds, in case the same be of that or any greater Burthen; and that, upon Payment of either of the said respective Sums, as the Case shall require, to the said Judge or Judges, or any of them, to be by him or them disposed or divided, as he or they shall think fit, among the Officers of such Court, such Judges and Officers, and every of them, shall be liable to all and every of the several Penalties hereby imposed for neglecting or delaying to do and perform their several and respective Duties or Offices in and relating to the several Proceedings aforesaid, within the respective Times herein for that Purpose limited.

Parties dissatisfied, may appeal to Commissioners, within 14 Days after Sentence.

XIII. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That if any Captor or Captors, Claimant or Claimants, shall not rest satisfied with the Sentence given in such Court of Vice-admiralty in any of his Majesty's Dominions, it shall and may be lawful for the Party or Parties thereby aggrieved to appeal from the said Court of Vice-admiralty to Commissioners appointed, or to be appointed, under the Great Seal of *Great Britain*, for receiving, hearing, and determining Appeals in Causes of Prizes, so as the same be made within fourteen Days after Sentence, and good Security be likewise given by the Appellant or Appellants, that he or they will effectually prosecute such Appeal, and answer the Condemnation, and also pay Treble Costs, as shall be awarded in case the Sentence of such Court of Vice-admiralty be affirmed; provided that the said Captor or Captors, Claimant or Claimants, do,

do, within six Months after Sentence passed, give Notice to the said Court of Vice-admiralty that they have appealed from such Decree to the said Commissioners.

XIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Execution of any Sentence so appealed from as aforesaid, shall not be suspended by reason of such Appeal, in case the Party or Parties appellate shall give sufficient Security, to be approved of by the Court in which such Sentence shall be given, to restore the Ship, Vessel, Goods, or Effects, concerning which such Sentence shall be pronounced, or the full Value thereof, to the Appellant or Appellants, in case the Sentence so appealed from shall be reversed.

XV. And be it further enacted by the Authority aforesaid, That in case any Person, who was not a Party in the first Instance of the Cause, shall interpose in an Appeal from a Sentence given in any Vice-admiralty-Court, such Person, or his or her Agent, shall at the same Time enter his or her Claim, otherwise such Appeal shall be null and void.

XVI. And be it further enacted by the Authority aforesaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, shall break Bulk on Board, or embezzle any of the Money, Jewels, Plate, Goods, Merchandise, Tackle, Furniture, or Apparel, of or belonging to such Prize or Prizes so taken, such Commander, Officer, Seaman, Marine, Soldier, or others, shall forfeit Treble the Value of all such Money, Jewels, Plate, Goods, Merchandise, Tackle, Furniture, or Apparel, as he or they shall embezzle; one-third Part thereof to be to the Use of Greenwich Hospital, and the other two-third Parts thereof to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in Great Britain, in which no Essoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed.

XVII. And be it further enacted by the Authority aforesaid, That all Appraisements and Sales of any Ship or Ships, Goods, Wares, or Merchandises, as shall be taken as Prizes, shall be made by Agents, or Persons nominated and appointed in equal Numbers by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ships Company, and others entitled thereunto; (that is to say,) That if the Flag Officers or Flag Officer of any Fleet or Squadron of Ships as shall take any such Prize or Prizes, or the Majority of such Flag Officers (if more than one), shall nominate and appoint one or more Person or Persons, Agent or Agents, to sell or appraise the same as aforesaid, then the Captains and Commanders, or Captain or Commander, entitled thereunto, or the Majority of them (if more than one), shall nominate and appoint the like Number of Persons or Agents to act for them; and all the other Officers under the Degree of a Captain and Commander entitled thereto, or the major Part of them, shall also nominate and appoint the like Number of Persons or Agents to act for them; and all the Crews of the several Ships Companies of the Fleet or Squadron, or Ship's Company, and others entitled thereto, or the major Part of them, shall likewise nominate and appoint the same Number of Persons or Agents to act in their Behalf in such Appraisement or Sale.

XVIII. And be it further enacted by the Authority aforesaid, That all and every Person or Persons who shall be nominated and appointed Agent or Agents as aforesaid, for any Prize or Prizes to be taken by any Ship or Ships, Vessel or Vessels of War, and which Prize or Prizes shall be condemned in the High Court of Admiralty in Great Britain, or in any of the Courts of Vice-admiralty in any of his Majesty's Dominions where the said Prize or Prizes, and every of them, shall be condemned, shall exhibit and cause to be registered in the said High Court of Admiralty, or in the respective Courts of Vice-admiralty in any of his Majesty's Dominions where the said Prize and Prizes, and every of them, shall be condemned, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purposes aforesaid; and if any Person or Persons so appointed Agent or Agents as aforesaid, shall refuse or neglect so to do, for the Space of six Calendar Months next after Sentence of Condemnation of any Prize shall be given in the said High Court of Admiralty in Great Britain, or in any Vice-admiralty Court in his Majesty's Dominions, for the Care and Distribution of which he or they shall be appointed Agent or Agents, such Person or Persons so refusing or neglecting, shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in Great Britain, or in any other of his Majesty's Dominions, in which no Essoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed.

XIX. Provided always, That if any Agent or Agents shall be appointed after the Time any Sentence of Condemnation in any of the said Courts of Admiralty or Vice-admiralty shall be given, such Agent or Agents shall, under the aforesaid Penalty, register, or cause to be registered, in Manner aforesaid, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforesaid, within the Space of six Calendar Months after the Date of the said Letter or Letters of Attorney.

XX. And be it further enacted by the Authority aforesaid, That after the Sale or Sales of any Prize or Prizes which shall be taken in pursuance or by virtue of this Act, public Notification or Notifications shall be given and published in such Manner as is herein after particularly mentioned; (that is to say,) If the Prize or Prizes shall be condemned in his Majesty's High or other Court of Admiralty in Great Britain, then the Person or Persons, Agent or Agents, to be appointed in pursuance of this Act, for the Appraisement and Sale of such Prize or Prizes, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively in the London Gazette, and if condemned in any Court or Courts of Admiralty or Vice-admiralty in any other of his Majesty's Dominions, then such Person or Persons, Agent or Agents as aforesaid, shall insert and publish, or cause to be inserted and published, such Notification, under his or their Hand or Hands respectively, in the Gazette, or some other News-paper of Public Authority, of the Island or Place where the Prize or Prizes shall be condemned; and if there shall be no Gazette or such other News-paper published there, then in some or one of the most public News-papers of such Island or Place for the Time being; and all Persons or Agents publishing, or causing to be published, every such Notification respectively, shall deliver to the Collector, Customers,

Execution of any Sentence not to be suspended by reason of Appeal, &c.

Persons appealing, &c. must enter their Claim.

Penalty on Officers, Seamen, &c. who shall embezzle Money, Jewels, &c. belonging to any Prize.

Appraisements and Sales of Prizes to be made by Agents appointed by Flag Officers, &c.

Agents shall register their Letters of Attorney within six Months after Sentence of Condemnation,

or forfeit 500l.

Provido.

Manner of giving public Notifications after Sale of Prizes

Customer, or Searcher for the Time being, of his Majesty's Customs, residing at, or belonging to the Port or Place where the Prize or Prizes shall be condemned, or the lawful Deputy or Deputies of such Collector, Customer, or Searcher; and if there shall be no such Collector, Customer, or Searcher, then such Persons or Agents as aforesaid shall deliver to the Principal Officer or Officers of the Port or Place where the Prize or Prizes shall have been condemned, or to the lawful Deputy or Deputies of such Principal Officer or Officers, two of the Gazettes or other News-papers in which such Notification shall be so inserted and published; and if there shall not be any public News-papers in any such Island or Place, then such Person or Persons, Agent or Agents, shall give two such Notifications, in Writing, under his or their respective Hand or Hands, to the said Collector, Customer, or Searcher, or the Deputy or Deputies of such Collector, Customer, or Searcher, or, where there shall be no such Collector, Customer, or Searcher, to such Principal Officer or Officers, or his or their Deputy or Deputies aforesaid; and every such Collector, Customer, or Searcher, and Principal Officer or Officers, or such Deputy or Deputies, shall subscribe his or their Name or Names on some conspicuous Part of both the said Gazettes, News-papers, or written Notifications respectively, and by the first Ship which shall sail (after his or their Receipt of such Gazettes, News-papers, or written Notifications respectively) from such Port or Place to any Port of *Great Britain*, shall transmit or send to the Treasurer of *Greenwich Hospital*, or the Deputy of such Treasurer for the Time being, one of the said Gazettes, News-papers, or written Notifications, with his or their Name or Names so subscribed to and upon the same respectively, to be there registered, and shall faithfully preserve and keep the other of the said two Gazettes, News-papers, or written Notifications, with his or their Name or Names subscribed as aforesaid, in his or their Custody; and that in every such printed or written Notification as aforesaid, the said Person or Persons, Agent or Agents, shall insert or specify his or their Place or Places of Abode, and the precise Day of the Month and Year appointed for the Payment of the several and respective Shares of the Prize or Prizes to the Captors; and all such Notifications with respect to Prizes, which shall be condemned in *Great Britain*, shall be published in the *London Gazette*, three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any Person or Persons entitled thereto; and all such Notifications, with respect to Prizes condemned in any other Part of his Majesty's Dominions, shall be delivered to the said Collector, Customer, or Searcher, or Principal Officer or Officers aforesaid respectively, or such respective Deputy or Deputies, three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes, shall be paid to any Person or Persons entitled thereto: After which several and respective Notifications, if any Men's Shares shall remain in the Hands of the Persons or Agents appointed as aforesaid, either belonging to such Men as shall be run from his Majesty's Service, or which shall not be legally demanded within three Years, then such Share or Shares so remaining in the Persons or Agents Hands, or belonging to such Men as shall run from his Majesty's Service, shall go and be paid to the Use of *Greenwich Hospital*.

Agent for Appraisement or Sale of Prizes neglecting his Duty,

shall forfeit tool.

Collector, Customer, &c. neglecting his Duty,

shall forfeit tool.

Notifications in Gazettes, &c. duly attested and registered,

shall be good Evidence in Law, &c.

Proviso.

Prizes which had been taken from his Majesty's Subjects not in Rebellion, to be restored to them,

XXI. And be it further enacted by the Authority aforesaid, That if any Person or Agent, to be appointed for Appraisement or Sale of any Prize or Prizes which shall be seized and taken as aforesaid, shall neglect or refuse to publish, give or deliver, any Notification herein before directed or required to be published, given, or delivered, before the Payment of any Part of such Prize-money, or in the Manner herein before appointed, or shall not set forth and specify therein the Matters and Things herein before directed to be specified and set forth; every such Person or Agent shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record in *Great Britain*, or elsewhere in any of his Majesty's Dominions, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparance, shall be allowed; and if any Collector, Customer, or Searcher, of his Majesty's Customs, or Principal Officer or Officers, or such Deputy or Deputies as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or send any such Gazette, News-papers, or written Notification, as aforesaid, in such Manner as is before directed, every such Collector, Customer, or Searcher, Principal Officer or Officers, or such Deputy or Deputies so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be sued for and recovered in the same Manner as the above Penalty is directed to be sued for and recovered.

XXII. And be it further enacted by the Authority aforesaid, That the Notifications in all such Gazettes, News papers, and in Writing respectively, as aforesaid, which shall be so transmitted and attested by such Collector, Customer, or Searcher, or Principal Officer or Officers, or such Deputy or Deputies as aforesaid, and registered at the said Royal Hospital, on Proof of the Hand-writing of such Collector, Customer, or Searcher, Principal Officer or Officers, or Deputy or Deputies, from Time to Time, and at all Times, shall be good and sufficient Evidence in all his Majesty's Courts of Law and Equity, that the Person or Persons, whose Name or Names is or are therein set forth and specified as the Agent or Agents for the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

XXIII. Provided always, and be it declared and enacted by the Authority aforesaid. That nothing herein contained shall extend, or be construed to extend, or exempt any Ships, Goods, Wares, or Merchandises, which shall be taken as Prize, and brought or imported into this Kingdom, or any of his Majesty's Dominions, from the Payment of any Customs or Duties, or from being subject to such Restrictions and Regulations to which the same now are or shall hereafter be liable by virtue of the Laws and Statutes of this Realm.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That if any Ship, Vessel, or Boat, taken as Prize, or any Goods therein, shall appear and be proved, in the High Court of Admiralty, or Vice-admiralty Court, to have belonged to any of his Majesty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing in their Allegiance to the King, and under his Majesty's Protection, which were before taken or surprized by any of his Majesty's rebellious

rebellious Colonies or Plantations before mentioned, and at any Time afterwards again surpris'd and retaken from his Majesty's said rebellious Colonies or Plantations by any of his Majesty's Ships of War, or other Ship, Vessel, or Boat, under his Majesty's Protection and Obedience; that then such Ships, Vessels, Boats, and Goods, and every such Part and Parts thereof as aforesaid, formerly belonging to such his Majesty's Subjects remaining and continuing under his Protection, shall in all Cases be adjudged to be restored, and shall be, by Decree of the said High Court of Admiralty or Vice-admiralty Court, accordingly restored to such former Owner or Owners, or Proprietors, he or they paying for and in Lieu of Salvage (if retaken from the Rebels) one-eighth Part of the true Value of the Ships, Vessels, Boats, and Goods respectively so to be restored; which Salvage shall be answered and paid to the Captains, Officers, and Seamen, to be divided in such Manner as before in this Act is directed touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers.

XXV. And be it further enacted by the Authority aforesaid, That no Person or Persons belonging to any of his Majesty's Ships or Vessels of War, who shall run away or withdraw him or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken, or otherwise, from his Majesty's Service, before or after Notification shall be given by the Persons or Agents appointed as aforesaid, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, shall have, or be entitled to have or claim, any Interest in or Benefit of the said Share or Shares of the said Prize or Prizes, or any Part thereof, but such Share and Shares of such Prize and Prizes shall go and be paid to the Use of Greenwich Hospital.

XXVI. Provided always, That if any Person or Persons shall or do run away or withdraw him or themselves from any such Ship or Vessel as aforesaid, after Notification given as aforesaid, he and they shall forfeit and lose such Part of his and their Share and Shares of the said Prize or Prizes, as shall be remaining in the said Agent or Agents Hands at the Time of his or their running away or withdrawing him or themselves; any Thing herein before contained to the contrary thereof in any-wise notwithstanding.

XXVII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Agent and Agents, and others, who shall sell or otherwise dispose of any Prize or Prizes so to be taken as aforesaid, shall, within the Space of three Calendar Months next after the Day to be appointed for the first Payment or Distribution to the Captors of such Prize or Prizes, made in pursuance of such public Notification as aforesaid, make out and transmit or deliver unto the Treasurer of the said Royal Hospital of Greenwich for the Time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account in Writing, under the Hand or Hands of such Agent or Agents, or Person or Persons so employed, of the Produce of all such Prize and Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors as shall then have been really and bona fide by him or them respectively paid; and also that all and every Person and Persons, Agents, and others, that by virtue of this Act shall sell or dispose of any Prize or Prizes, which shall at any Time or Times hereafter be taken by any of his Majesty's Ships or Vessels of War, such Person and Persons, Agents, and others, so selling and disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of three Years limited by this Act, make out an exact Account in Writing of the Produce of such Prize and Prizes, as also of the Payments of the several Shares to the respective Captors, together with a true and just Account upon Oath, to be taken before the Treasurer of the said Hospital for the Time being, or any other Person or Persons by him for that Purpose deputed and authorized in Writing under his Hand and Seal (which Oath the said Treasurer of the said Hospital, and his sufficient Deputy and Deputies, authorized as aforesaid, is and are hereby authorized and empowered to administer), of all Sum and Sums of Money as shall be then remaining in such Agent or Agents, or Persons Custody, Power or Possession, and shall at the same time deliver, or cause to be delivered, to the Treasurer of the said Hospital for the Time being, or to his sufficient Deputy or Agent, the said Accounts so attested upon Oath as aforesaid, together with all such remaining Sum and Sums of Money then so left and remaining in his or their Hands as aforesaid, taking from the said Treasurer, or his proper Deputy or Agent, his or their Acquittance or Acquittances for the same.

XXVIII. And be it further enacted, That all and every Person and Persons hereby directed to transmit or deliver all or any the Accounts before mentioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts to the Treasurer of the said Hospital, or his said Deputy or Agent, within the Time before limited and appointed, in Manner and Form as is herein before mentioned, or who shall neglect or refuse to pay over all and every such Sum and Sums of Money as shall remain in his or their Hand or Hands, Power, Custody, or Possession, after the Term of three Years, to be accounted as aforesaid, shall, for every such Offence, forfeit the Sum of one hundred Pounds, over and above the Money then in such Agents Hands; one-third Part whereof shall belong to his Majesty, and the remaining two-third Parts to the said Royal Hospital, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Impar lance, shall be allowed.

XXIX. And be it further enacted by the Authority aforesaid, That if any Fraud, Collusion, or Deceit, shall be wittingly or willingly made, used, committed, permitted, or done, or suffered, in making, stating, or balancing, any such Accounts, then every Person or Persons who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay, for every such Offence, over and above the Penalties and Punishments inflicted by this Act, the Sum of one hundred Pounds; one-third Part whereof to be to the Use of his Majesty, and one other third Part to the Use of the said Hospital and the remaining third Part to the Informer who shall sue for the same, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Impar lance, shall be allowed.

on Payment of 1-8th Part of the Value thereof.

Persons withdrawing themselves from his Majesty's Service, forfeit their Share of Prize-money; which shall be applied to the Use of Greenwich Hospital. Proviso.

Agents, who shall sell any Prize, to transmit to the Treasurer of Greenwich Hospital a true State of the Produce of such Prize, &c.

Person, &c. neglecting to deliver true Accounts to the Treasurer, &c. or not paying in all Money remaining in his Hands after three Years, shall forfeit 100l.

No wilful Fraud to be used in balancing Accounts,

on Penalty of 100l.

XXX. And

Registers in Courts of Admiralty shall enter all Letters of Attorney exhibited by Agents, &c. within 14 Days;

and deliver Copies thereof twice in every Year to the Treasurer, &c.

or forfeit 100 l.

Registers of Admiralty Courts to make out yearly Lists of all Letters of Attorney registered there, and transmit them to the Treasurer of Greenwich Hospital,

on Penalty of 500 l.

True Copies of Letters of Attorney, &c. shall be sufficient Evidence of the Agency of the Persons to whom they are made.

Agents not liable to be sued by any Person who shall be made run from his Majesty's Service in the Lists of Officers, Seamen, &c. unless he produce a Certificate of his R being taken off.

Provide.

This Act not to extend to Vessels which shall have sailed for Great Britain or Ireland, from the West Indies, on or before March 1, 1776, &c.

XXX. And be it further enacted by the Authority aforesaid, That the Register or Registers of his Majesty's High Court of Admiralty, and all other Courts of Admiralty in *Great Britain*, shall, from Time to Time, duly enter or register, or cause to be entered or registered, in one or more Book or Books, to be by him or them kept for that Purpose only, all Letters of Attorney that shall be exhibited by any Agent or Agents for any Prize or Prizes which shall be taken by any of his Majesty's Ships or Vessels of War, within fourteen Days after the same shall be so exhibited or delivered to such Register or Registers, at his or their respective Offices; which Registry shall contain the Day of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, together with the Names of the Ships or Vessels by which such Prizes shall have been taken; and the said Register or Registers shall, on the twenty-sixth Day of *March*, and the thirtieth Day of *September*, or within forty Days thereafter, in every Year, transmit or deliver unto the Treasurer of the said Hospital, or to the lawful Deputy of such Treasurer for the Time being, a true Copy or Transcript, under his or their Hand or Hands, of all such Entries as aforesaid, within the preceding Half-year; and if such Register or Registers shall neglect or refuse to make and keep such Entries, or to transmit or deliver such Copies thereof as aforesaid, within the respective Times herein before limited for that Purpose, he or they shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in which no *Essoin*, Protection, Privilege, Wager of Law, or more than one Imparance, shall be allowed.

XXXI. And be it further enacted by the Authority aforesaid, That the Register or Registers of all and every the Court and Courts of Admiralty in any of his Majesty's Dominions, shall yearly and every Year, upon the twenty-third Day of *October*, or within three Calendar Months next after the same, make out and transcribe true Copies of all and every such Letter and Letters of Attorney as shall be so registered in the said Court or Courts, to which the Judge and Judges of the said Court and Courts shall affix his and their Seal of Office; and then the said Register and Registers shall transmit the same to the Treasurer of the said Royal Hospital at *Greenwich*, to be there registered, and to be inspected by any Person *gratis*, the Charges of which Copies, and affixing the Seal or Seals thereto, and transmitting the same to the Treasurer of the said Hospital, shall be paid by the said Agent or Agents at the Time of making such Registry as aforesaid; and in case such Register or Registers shall neglect or refuse to transcribe and transmit such Copy and Copies of the said Letter and Letters of Attorney in Manner aforesaid (any Ship or Ships in that Time sailing from such Port or Place to any Port or Place in *Great Britain*), such Register and Registers so neglecting or refusing shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, or in any other Part of his Majesty's Dominions, in which no *Essoin*, Protection, Privilege, or Wager of Law, or more than one Imparance, shall be allowed.

XXXII. And for the more effectual making such Letters of Attorney Evidence of the Agency of the Person or Persons to whom the same shall be made, be it further enacted by the Authority aforesaid, That true Copies of such Letter and Letters of Attorney, and of Transcripts under Seal, transmitted by the said Register or Registers of the Court and Courts of Vice-admiralty within any of his Majesty's Dominions, and registered by the said Treasurer of *Greenwich* Hospital, shall, from Time to Time, and at all Times hereafter, be good and sufficient Evidence of the Agency of the Person or Persons to whom such Letters of Attorney is or shall be made; and from Time to Time, and at all Times hereafter, shall be admitted, without further or other Proof thereof, to be legal Evidence in all his Majesty's Courts of Record of Law or Equity; any Law, Custom, or Usage, to the contrary thereof in any-wise notwithstanding.

XXXIII. And be it further enacted by the Authority aforesaid, That no Agent or Agents for Prizes shall be liable to be sued, impleaded, or arrested, by any Person or Persons who shall be made run from his Majesty's Service, in the Lists to be duly certified of the Names of the Officers, Seamen, Marines, Soldiers, or others, who shall be actually on Board any of his Majesty's Ships of War, at the taking of any Prize or Prizes, until the End of three Months next after the Expiration of three Years, limited by this Act for the claiming of Prizes, unless the Person or Persons so made run shall, before any Action brought, obtain a Certificate of his or their R or Rs being taken off, and the Forfeiture of his or their Share of such Prizes being discharged by the Commissioners of his Majesty's Navy who subscribed the said Lists, and shall produce such Certificate to the said Agent or Agents respectively, and unless the said Agent or Agents, on the producing of such Certificate or Certificates, shall refuse to pay the said Prize-money (in case the same be due and payable, according to the Directions in his Majesty's Declaration) within two Months after any such Demand made, and such Certificate produced.

XXXIV. Provided always, That nothing in this Act contained shall be construed to restrain his Majesty, his Heirs and Successors, from giving such further Rules and Directions to his respective Courts of Admiralty and Vice-admiralty, as by his Majesty, his Heirs and Successors, with the Advice of his or their Privy Council, shall be thought necessary or proper.

XXXV. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to any Ship or Vessel the Property of any Person or Persons residing in the said Colonies of *New Hampshire*, *Massachusetts Bay*, *Rhode Island*, *Connecticut*, *New York*, *New Jersey*, *Pennsylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, or any or either of them, which shall have sailed for *Great Britain* or *Ireland*, from any *British* Sugar Colony or Plantation in the *West Indies*, on or before the first Day of *March* one thousand seven hundred and seventy-six, laden with any Goods or Commodities which before the passing of this Act might be so lawfully transported and carried in such Ship or Vessel; nor to any Ship or Vessel the Property of any Person or Persons residing in the said Colonies of *New Hampshire*, *Massachusetts*

chuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, or any or either of them, which on or before the first Day of January one thousand seven hundred and seventy-six, shall have arrived at any of the British Sugar Colonies or Plantations in the West Indies, laden with Lumber and Provisions, or either of them, and, after discharging the same at such Sugar Colony or Plantation, shall, on or before the first Day of August one thousand seven hundred and seventy-six, lade and take on Board there, in order to be transported from thence into Great Britain or Ireland, any Goods or Commodities which may be lawfully transported from such Sugar Colony or Plantation into Great Britain or Ireland respectively, in any other British Vessel, upon Condition that the Master or Person having the Charge of such Ship or Vessel which shall have so arrived on or before the said first Day of January one thousand seven hundred and seventy-six, and shall have been loaded on or before the said first Day of August one thousand seven hundred and seventy-six, shall produce a Certificate, under the Hands and Seal of Office of the Collector and Comptroller, or other Principal Officer of his Majesty's Customs for the Port or Place where such Goods shall be laden, certifying that such Ship or Vessel did arrive at such Sugar Colony or Plantation on or before the said first Day of January one thousand seven hundred and seventy-six, laden with Lumber and Provisions, or either of them, as the Case may be; and that, after having discharged the same in such Sugar Colony or Plantation, she had taken on Board the several Goods therein laden for Great Britain or Ireland respectively, describing the Name and Burthen of the Ship, with the Name of the Master, and the Contents of the Cargo, with the particular Marks and Numbers of the Packages of each Sort and Species of Goods so laden, the Port or Place where, and the Time when laden, and the Port in Great Britain or Ireland to which the Goods are consigned, and that Bond and Security has been given for the due landing thereof according to Law; which Certificate such Collector and Comptroller, or other Principal Officer of the Customs, are hereby required and enjoined to give without Fee or Reward.

XXXVI. And it is hereby further enacted by the Authority aforesaid, That the Certificates before mentioned for such Ships or Vessels as shall be bound to Great Britain and Ireland, shall continue in Force for six Months from the Dates thereof, and no longer; and the Master or Person having Charge of such Ship or Vessel, upon his Arrival at the Port of his Discharge in Great Britain or Ireland, at the Time he reports his Ship, is hereby required to deliver up such Certificate to the Collector and Comptroller, or other Principal Officer of the Customs at such Port, on Forfeiture of one hundred Pounds: And if any Officer or Officers of the Customs shall give or grant any false Certificate, for the Purpose required or directed by this Act, such Officer or Officers shall forfeit the Sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his Heirs and Successors, in any Office whatsoever; and if any Person or Persons shall counterfeit, erase, alter, or falsify any such Certificate; or any Licence required or directed by this Act, or shall knowingly make Use of any false Certificate or Licence, or of any Certificate or Licence so counterfeited, erased, altered, or falsified, such Person or Persons shall, for every such Offence, forfeit the Sum of five hundred Pounds, and such Certificate or Licence shall be invalid and of no Effect; which said Penalties, if the same shall be incurred in Great Britain, or within the British Dominions in America, shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties, inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the British Colonies or Plantations in America, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by any Act or Acts of Parliament now in Force; and if the said Penalties shall be incurred in the Kingdom of Ireland, the same shall and may be prosecuted, sued for, recovered, and applied, in such and the like Manner as any Forfeiture incurred by the Laws now in Force in the said Kingdom of Ireland against the running or intending to run Goods into that Kingdom, may, by any Act or Acts of Parliament now in Force there, be prosecuted, sued for, recovered, and applied.

XXXVII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to any Ship or Vessel, or the Cargo thereof, which shall have been or may be cleared out from any Port in Great Britain or Ireland, before the first Day of January one thousand seven hundred and seventy-six, and shall be bound to any of the British Sugar Colonies in the West Indies, or which hath been, or may be so cleared out from the said British Sugar Colonies, and shall be bound to Great Britain or Ireland, in case it shall appear by the Register of such Ship or Vessel that Two-thirds at the least of the Owners of such Ship or Vessel are his Majesty's Subjects residing in Great Britain or Ireland, or in some of the said British Sugar Colonies; nor to any Ship or Vessel, or the Cargo thereof, which shall be cleared out from any Port in Great Britain or Ireland, after the twentieth Day of January one thousand seven hundred and seventy-six, and shall be bound to any of the British Sugar Colonies, or which shall be cleared out after the twenty-fifth Day of March one thousand seven hundred and seventy-six, from the said British Sugar Colonies, and shall be bound to Great Britain or Ireland, in case it shall appear, by the Oath or Affirmation of one or more of the Owners of such Ship or Vessel, to be indorsed on the Register thereof, to be taken before the Collector or other Principal Officer of the Customs at the Port or Place where such Ship or Vessel shall be cleared out (which Oath or Affirmation such Collector, or other Principal Officer of the Customs, is hereby authorized and required to administer), that Two-thirds at least of such Ship or Vessel are the Property of his Majesty's Subjects residing in Great Britain or Ireland, or in some of the said Sugar Colonies or Plantations.

XXXVIII. And whereas many and large Debts are now due from the Inhabitants of the North American Colonies herein before mentioned, to divers of his Majesty's good and loyal Subjects residing in Great Britain, Ireland, and the British Plantations in the West Indies, and many of such good and loyal Subjects may have Estates and Effects in some of the said North American Colonies: And whereas Goods and Merchandise have been or may be shipped or laden in the said Colonies, for and on Account of such Debts, Estates, or Effects, and other Goods and Merchandise may be laden there, and sent from thence in consequence of Orders given for that Purpose; be it therefore enacted by the Authority aforesaid,

Certificates to continue in Force for six Months. Master, &c. upon his Arrival in Great Britain or Ireland, to deliver up his Certificate to the Collector, &c. on Forfeiture of 100 l. Penalty on giving a false Certificate, or counterfeiting or altering any Certificate, &c. Penalties how to be recovered.

This Act not to extend to Vessels cleared out from Great Britain or Ireland before Jan. 1, 1776, and bound to the West Indies, &c. if Two-thirds of the Owners are his Majesty's Subjects residing in Great Britain, Ireland, or the British Sugar Islands.

This Act not to extend to any Vessel cleared out from the Colonies for Great Britain, &c. on or before Jan. 1, 1776; nor to Goods shipped for Remittances to Great Britain, &c. before Dec. 21, 1775.

Not to extend to any Vessel the Property of the Colonists, which on or before Jan. 1, 1776, shall have sailed from any Port in Europe where the might lawfully trade, &c.

Nor to any Vessel belonging to the Island of Nantucket, employed in the Whale Fishery, and fitted out before Dec. 1, 1775, &c.

Seizing of Persons, Vessels, &c. during the Rebellion, and before the passing of this Act, shall be deemed legal.

Limitation of Actions.

General Issue.

Treble Costs.

Act
24 Geo. III.

15 Geo. III.
Cap. 10.

and 15 Geo. III.
Cap. 18.

repealed.

Commencement of this Act.

That nothing in this Act contained shall extend, or be construed to extend, to any Ship or Vessel which shall have cleared out and sailed from any of the said Colonies for *Great Britain, Ireland,* or any of the *British Plantations in the West Indies,* on or before the first Day of *January* one thousand seven hundred and seventy-six; nor shall extend, or be construed to extend, to forfeit any Goods or Merchandise, or Effects which shall be laden or shipped on Board any Ship or Vessel in any of the said *North American Colonies* on or before the twenty-fifth Day of *March* one thousand seven hundred and seventy-six, as a Remittance to any of his Majesty's Subjects residing in *Great Britain, Ireland,* or the *British Colonies or Plantations in the West Indies,* for or on account of any such Estates, Effects, or Debts, or in consequence of any Orders given for that Purpose, before the twenty-first Day of *December* one thousand seven hundred and seventy-five, provided Proof thereof shall be made, on Oath of the Parties to whom such Goods, Merchandise, or Effects, shall be consigned, or otherwise to the Satisfaction of the Judge or Court before whom any Seizure of such Goods, Merchandise, or Effects, shall be depending, any Thing herein contained to the contrary notwithstanding.

XXXIX. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to any Ship or Vessel the Property of any Person or Persons residing in the said Colonies of *New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania,* the three Lower Counties on *Delaware, Maryland, Virginia, North Carolina, South Carolina,* or *Georgia,* which on or before the first Day of *January* one thousand seven hundred and seventy-six shall have sailed from any Port or Place in *Europe* where such Ship or Vessel might lawfully trade; or which on or before the said first Day of *January* one thousand seven hundred and seventy-six shall be actually laden in any such Port or Place for *Great Britain or Ireland,* with such Goods and Merchandises as such Ship or Vessel might lawfully so transport; nor to any such Ship or Vessel as shall, on the said first Day of *January* one thousand seven hundred and seventy-six, remain in any Port of *Great Britain or Ireland,* any Thing herein contained to the contrary thereof in any-wise notwithstanding.

XL. Provided also, and it is hereby further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to any Ship or Vessel being the Property of any of the Inhabitants of the Island of *Nantucket,* employed in the Whale Fishery only, if it shall appear by the Papers on Board that such Ship or Vessel was fitted and cleared out from thence before the first Day of *December* one thousand seven hundred and seventy five; or if the Master, or other Person having the Charge of any such Ship or Vessel as aforesaid, shall produce a Certificate under the Hand and Seal of the Governor or Commander in Chief of the Province of the *Massachusetts Bay,* setting forth, that such Ship or Vessel (expressing her Name, and the Name of her Master, and describing her Built and Burthen) is the whole and entire Property of his Majesty's Subjects of the said Island of *Nantucket,* and was the Property of one or more of them on or before the twenty-fifth Day of *March* one thousand seven hundred and seventy-five.

XLI. And whereas, before the passing this Act, and since the Commencement of the said unnatural Rebellion, divers Persons, Vessels, Cargoes, and other Effects, may have been seized, detained, examined, searched, damaged, or destroyed, for the public Service, in withstanding or suppressing the said Rebellion; be it further enacted by the Authority aforesaid, That all such Acts shall be deemed just and legal to all Intents, Constructions, and Purposes whatsoever: And if any Action or Suit shall be commenced or prosecuted against any Person or Persons for or by reason of any Thing so done, or for or by reason of any Thing done or acted in pursuance of this Act, then, and in every such Case, such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants shall and may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Act shall appear to have been done for the Service of the Public, or in pursuance of and by the Authority of this Act, or if any such Action or Suit shall be brought after the Time herein before limited for bringing the same, then the Jury shall find for the Defendant or Defendants; and upon such Finding, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action 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 and may recover Treble Costs.

XLII. And whereas an Act was passed in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to discontinue, in such Manner, and for such Time, as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town and within the Harbour of Boston, in the Province of Massachusetts Bay, in North America*); and also an Act passed in the last Session of Parliament (intituled, *An Act to restrain the Trade and Commerce of the Provinces of Massachusetts Bay and New Hampshire, and Colonies of Connecticut, and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of Newfoundland, or other Places therein mentioned, under certain Conditions and Limitations*); and also another Act passed in the same Session (intituled, *An Act to restrain the Trade and Commerce of the Colonies of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British Islands in the West Indies, under certain Conditions and Limitations*): And whereas the Prohibitions and Restraints imposed by the said Acts will be rendered unnecessary by the Provisions of this Act: Be it therefore enacted by the Authority aforesaid, That from and after the first Day of *January* one thousand seven hundred and seventy-six, the said Acts shall be, and the same are hereby repealed.

XLIII. And be it further enacted by the Authority aforesaid, That this Act, so far as the same relates to the Capture and Forfeiture of Ships and Vessels belonging to the Inhabitants of the above-mentioned Colonies, shall, except in the Cases herein before mentioned, commence and be in Force from and after the first Day of *January* one thousand seven hundred and seventy six; and so far as the same relates to the

Capture

Capture and Forfeiture of all other Ships and Vessels that shall be found going to trade in or at any of the said Colonies, from and after the first Day of *February* one thousand seven hundred and seventy-six; and so far as the same relates to the Capture and Forfeiture of all other Ships and Vessels that shall be found trading in or at any of the said Colonies, or bound and trading from any Port or Place in the same, from and after the twenty-fifth Day of *March* one thousand seven hundred and seventy-six; and shall continue to be in Force so long as the said Colonies respectively shall remain in a State of Rebellion.

XLIV. Provided always nevertheless, and it is hereby enacted by the Authority aforesaid, That in order to encourage all well-affected Persons in any of the said Colonies to exert themselves in suppressing the Rebellion therein, and to afford a speedy Protection to those who are disposed to return to their Duty, it shall and may be lawful to and for any Person or Persons, appointed and authorized by his Majesty, to grant a Pardon or Pardons to any Number or Description of Persons, by Proclamation, in his Majesty's Name, to declare any Colony or Province, Colonies or Provinces, or any County, Town, Port, District, or Place, in any Colony or Province, to be at the Peace of his Majesty; and from and after the issuing of any such Proclamation in any of the aforesaid Colonies or Provinces, or if his Majesty shall be graciously pleased to signify the same by his Royal Proclamation, then, from and after the issuing of such Proclamation, this Act, with respect to such Colony or Province, Colonies or Provinces, County, Town, Port, District, or Place, shall cease, determine, and be utterly void; and if any Captures shall be made, after the Date and Issuing of such Proclamations, of any Ships or Vessels, and their Cargoes, belonging to the Inhabitants of any such Colony or Province, Colonies or Provinces, County, Town, Port, District, or Place, or of any Ships trading to or from such Colony or Province, Colonies or Provinces respectively, the same shall be restored to the Owners of such Ships or Vessels, upon Claim being entered, and due Proof made, of their Property therein, and the Captors shall not be liable to any Action for seizing or detaining the said Ships or Vessels, or their Cargoes, without Proof being made that they had actual Notice of such Proclamation having been issued.

XLV. Provided always, That such Proclamation or Proclamations shall not discharge or suspend any Proceeding upon any Capture of any such Ship or Vessel made before the Date and Issuing thereof.

C A P. VI.

An Act for giving a public Reward unto such Person or Persons, being his Majesty's Subject or Subjects, as shall discover a Northern Passage for Vessels by Sea, between the *Atlantic* and *Pacific* Oceans; and also unto such as shall first approach by Sea within One Degree of the Northern Pole.

WHEREAS an Act of Parliament passed in the eighteenth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for giving a public Reward to such Person or Persons, his Majesty's Subject or Subjects, as shall discover a North-west Passage, through Hudson's Straights, to the Western and Southern Ocean of America*): And whereas many Advantages both to Commerce and Science may be also expected from the Discovery of any Northern Passage for Vessels by Sea, between the *Atlantic* and *Pacific* Oceans: 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 any Ship or Vessel, Ships or Vessels, belonging to any of his Majesty's Subjects, or to his Majesty, shall find out and sail through any Passage by Sea, between the *Atlantic* and *Pacific* Oceans, in any Direction or Parallel of the Northern Hemisphere to the Northward of the fifty-second Degree of Northern Latitude, the Owner or Owners of such Ship or Ships, Vessel or Vessels, if belonging to any of his Majesty's Subjects, or the Commander or Commanders, Officers and Seamen of such Ship or Vessel, Ships or Vessels, if belonging to his Majesty, shall receive as a Reward for such Discovery the Sum of twenty thousand Pounds.

II. And whereas the Ships employed both in the *Spitzbergen* Seas, and in *Davis's Straights*, have frequent Opportunities of approaching the North Pole, though they have not Time, during the Course of one Summer, to penetrate into the *Pacific* Ocean: And whereas such Approaches may greatly tend to the Discovery of a Communication between the *Atlantic* and *Pacific* Oceans, as well as be attended with many Advantages both to Commerce and Science, be it therefore enacted by the Authority aforesaid, That if any Ship or Vessel, Ships or Vessels, shall approach to within one Degree of the Northern Pole, the Owner or Owners of such Ship or Vessel, Ships or Vessels, if belonging to any of his Majesty's Subjects, or the Commander or Commanders, Officers and Seamen, of such Ship or Vessel, Ships or Vessels, if belonging to his Majesty, so first approaching to within one Degree of the Northern Pole, his or their Executors, Administrators, or Assigns, shall be entitled to receive, and shall receive, as a Reward for such first Approach towards the Northern Pole, the Sum of five thousand Pounds.

III. And in order to ascertain who are the first Discoverers of the said Northern Passage into the *Pacific* Ocean, and who are the first Approachers to within one Degree of the Northern Pole, and to whom the Rewards by this Act respectively given do belong; be it further enacted by the Authority aforesaid, That the Commissioners appointed for the Purposes of the said Act of the eighteenth of *George* the Second, and also such other Persons as for the Time being are Commissioners for the Discovery of the Longitude at Sea, be, and they are hereby appointed Commissioners for the Purposes of this present Act; and are hereby authorized and impowered to call for the respective Journal or Journals, Book or Books, and Papers, kept on Board the respective Ship or Ships, Vessel or Vessels, of the Claimant or Claimants respectively, and also to examine, upon Oath, all such Persons as they the said Commissioners shall think proper with regard to any Claim or Claims, as well as any Person or Persons produced by the respective Claimant

Persons authorized by his Majesty may grant Pardons to any Colony, Province, County, &c. by Proclamation in his Majesty's Name; after the issuing of which, this Act to be void with respect to such Colony, &c.

Provide.

Preamble.

If any Ship belonging to his Majesty, &c. shall sail between the *Atlantic* and *Pacific* Oceans beyond the 52d Degree, Commander, &c. shall receive a Reward of 20,000 l.

or shall approach to within one Degree of the Northern Pole, shall receive a Reward of 5000 l.

Commissioners appointed to determine who are entitled to the said Rewards; who are impowered to call for Journals, Books, &c.

Commissioners
to grant Certifi-
cates upon Proof
made of Discov-
ery, &c.

on producing
whereof, Com-
missioners of the
Treasury to pay
the Reward.

All Claims to the
Rewards to be
made within six
Months after
Arrival at any
Port in Great
Britain or Ire-
land.

Proviso,

ant or Claimants of the respective Rewards given as aforesaid by this Act (which Oath the said Commissioners, or any three or more of them, are hereby impowered and required to administer): And the said Commissioners, or the major Part of those that shall meet (such major Part, nevertheless, at all Times consisting of thirteen Commissioners at the least, of which the Lord High Admiral, or First Commissioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, and the Royal Astronomer of *Greenwich* for the Time being, shall be two), being fully satisfied, upon Examination and Proof, that such Northern Passage by Sea into the *Pacific* Ocean is effectually discovered, and sailed through as aforesaid, and that such Approach towards the Northern Pole, as aforesaid, has been then first actually made by Sea, or that either the one or the other has been fully accomplished within the Meaning of this Act, as the Case may be, are hereby authorized and required to grant a Certificate or Certificates accordingly, under their Hands and Seals, to such Person or Persons as they shall judge are entitled to the same respectively; which Certificate or Certificates shall be produced to the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, and the said Sum of twenty thousand Pounds, and the said Sum of five thousand Pounds, or the one or the other, as the Case may be, shall be respectively paid to such Person or Persons as are named in the said Certificate or Certificates respectively, his, her, or their Executors, Administrators, or Assigns, out of any the Aids or Supplies which shall be granted in Parliament to his Majesty, his Heirs or Successors, after the said Discovery of the said Northern Passage into the *Pacific* Ocean, and the said Approach to within one Degree of the Northern Pole, or the one or the other, as the Case may be, shall be made, effectuated, and proved, and the said Certificate produced as aforesaid.

IV. Provided always, and be it further enacted by the Authority aforesaid, That the respective Claim or Claims on behalf of any Ship or Ships, Vessel or Vessels, unto the Rewards given by this Act, or either of them, shall be made respectively, and entered with, or be by Letter signed to, the Secretary of the Lord High Admiral, or First Commissioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, at the Admiralty Office in *London*, within six Months from the Time that such Ship or Vessel, Ships or Vessels, shall have arrived at any Port of *Great Britain* or *Ireland*, otherwise the respective Claimant or Claimants shall not be entitled to receive, nor shall receive, either of the said Rewards; any Thing in this Act contained to the contrary notwithstanding.

V. Provided also, and be it further enacted by the Authority aforesaid, That if the said Rewards, or either of them, shall be claimed by and adjudged to the Commander or Commanders, Officers and Seamen of any Ship or Vessel, Ships or Vessels, belonging to his Majesty, the same shall be disposed in favour of, and distributed among such Commander or Commanders, Officers and Seamen, in such Proportions as shall be directed by his Majesty in Council, and in no other Manner.

C A P. VII.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

C A P. VIII.

An Act for making perpetual so much of an Act, made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his present Majesty, intituled, "An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time; and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time,"* as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*: And also another Act, made in the fifth Year of his present Majesty's Reign, intituled, *An Act to permit the free Importation of Cattle from Ireland.*

Preamble,
Acts 8 Geo. III.

and 5 Geo. III.
recited.

So much of the
Act 8 Geo. III.
as relates to Ire-
land, and the
Act 5 Geo. III.
made perpetual.

“ WHEREAS an Act was made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his present Majesty, intituled, "An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from Ireland, for a limited Time; and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the British Dominions in America, for a limited Time:"* And whereas the said Act has, by several subsequent Acts, been continued to the thirtieth Day of *March* one thousand seven hundred and seventy-six: And whereas another Act was made in the fifth Year of his present Majesty's Reign, intituled, *An Act to permit the free Importation of Cattle from Ireland*; which Act has, by another Act made in the twelfth Year of his present Majesty's Reign, been further continued until the twenty-ninth Day of *September* one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament: And whereas the said Act, made in the eighth Year of his present Majesty's Reign, so far as the same relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*; and also the said Act, made in the fifth Year of his present Majesty's Reign, have proved very beneficial: 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, made in the eighth Year of his present Majesty's Reign, as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*, and also the said recited Act, made in the fifth Year of his present Majesty's Reign, shall be, and are hereby made perpetual.

C A P.

C A P. IX.

An Act for the better Relief and Employment of the Poor within the Hundred of *Foxehat*, in the County of *Norfolk*.

C A P. X.

An Act to enable his Majesty to make Leases, Copies, and Grants of Offices, Lands, and Hereditaments, Parcel of the Dutchy of *Cornwall*, or annexed to the same; and for other Purposes therein mentioned.

WHEREAS his Royal Highness *George Prince of Wales*, now stands seized of the Dutchy of *Cornwall*, and the Possessions thereof: And whereas it is necessary to enable his Majesty to grant Offices, and to make Leases and Grants, by Copy of Court Roll, of Lands and Hereditaments, Parcel of the said Dutchy, or thereunto annexed or belonging, during the Minority of his Royal Highness; 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 Leases and Grants, made or to be made, by Letters Patent, or Indentures, under the Seal of *Great Britain*, or Seal of the Court of Exchequer, or by Copy of Court Roll, according to the Custom of the respective Manors, within seven Years next ensuing, of any Offices, Messuages, Parks, Lands, Tenements, or Hereditaments, (other than Honours, Lordships, or Manors) Parcel of the Possessions of the said Dutchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Contents of the same Copies, Leases, and Grants, against our Sovereign Lord the King, his Heirs and Successors, his Royal Highness *George Prince of Wales*, and against all and every other Person or Persons, who shall at any Time hereafter have, inherit, or enjoy, the said Dutchy, by force of any Act of Parliament, or by other Limitation whatsoever.

II. Provided always, That every such Lease or Grant so made, or to be made, be not for more than one, two, or three Lives, or for one and thirty Years, or under, or for some Term of Years determinable upon one, two, or three Lives, and not above; and if such Leases or Grants be made in Reversion or Expectancy, that then the same, together with the Estates in Possession, do not exceed three Lives, or the Term of one and thirty Years, or some Term of Years determinable upon one, two, or three Lives, and be not in any wise made dispensihable of Waste; and so as upon every such Lease or Grant there be, or shall be, reserved the ancient or most usual Rent, or more, or such Rent as hath been reserved, yielded, or paid, for the same Lands, or Hereditaments, for the greater Part of twenty Years next before the making of the said Leases or Grants; and where no such Rent hath been reserved or payable, that then, upon every such Lease, there be, or shall be, reserved a reasonable Rent, not being under the twentieth Part of the clear yearly Value of the Messuages, Parks, Lands, Tythes, Tenements, or Hereditaments, contained in such Lease or Grant; and all Leases and Grants otherwise made, or to be made, shall be null and void.

the same be not dispensihable of Waste; and the usual Rent, or, where there was none before, a reasonable

III. And be it further ordained and enacted by the Authority aforesaid, That all Covenants, Conditions, Reservations, and other Agreements, contained in every Lease, Grant, or Copy of Court Roll, made or to be made, as aforesaid, shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversions of the same Lands, Tenements, and Hereditaments shall come, as for and against them to whom the Interest of the said Leases, Grants, or Copies shall come, respectively, as if our Sovereign Lord the King's Majesty, at the Time of making such Covenants, Conditions, and Reservations, and other Agreements, were seized of an absolute Estate, in Fee Simple, in the same Lands, Tenements, or Hereditaments.

IV. Saving always, to all and every Person and Persons, Bodies Politic and Corporate, their Heirs and Successors, Executors, Administrators, and Assigns, (other than to our said Sovereign Lord the King, and his Heirs and Successors; and the Duke and Dukes of *Cornwall* for the Time being, and his and their Heirs; and all and every other Person and Persons that shall hereafter have, inherit, or enjoy, the said Dukedom of *Cornwall*, by force of any Act of Parliament, or other Limitation whatsoever) all such Rights, Titles, Estates, Customs, Interests, Tenures, Claims, and Demands whatsoever, of what Nature, Kind, or Quality soever, of, in, to, or out of, the said Offices, Lands, Tenements, or Hereditaments, or any of them, as they, or any of them, had or ought to have had before the making of this Act, to all Intents and Purposes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act, or any Thing herein contained, to the contrary notwithstanding.

C A P. XI.

An Act to continue an Act made in the last Session of Parliament, intituled, *An Act to amend and render more effectual in his Majesty's Dominions in America 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; and for extending the Provisions of the said Act to his Majesty's Marine Forces in America.*

WHEREAS an Act, passed in the fifteenth Year of his present Majesty's Reign, intituled, *An Act to amend and render more effectual in his Majesty's Dominions in America, an Act, passed in the present Session of Parliament, intituled, "An Act for punishing Mutiny and Desertion, and for the better Payment*

Preamble.
Leases and Grants made by Letters Patent or Indentures, or by Copy of Court Roll within 7 Years to come, of any Offices, Lands, or Hereditaments, Parcel of the Dutchy of Cornwall, or annexed thereto, declared to be good against the Crown;

so as such Leases be not for more than 3 Lives, or 31 Years; or a Term determinable upon 3 Lives at the most;

And if in Expectancy or Reversion, not exceeding 3 Lives or 31 Years, and so as Rent be reserved.

The Covenants, &c. in such Leases or Grants deemed good in Law.

Reservation of Rights.

Preamble.
Act 15 Geo. III. recited.

“ Payment of the Army and their Quarters;” and for extending the Provisions of the said Act to his Majesty’s Marine Forces in America; which Act was to continue and be in Force in all his Majesty’s Dominions in America, from the twenty-fourth Day of March, in the Year one thousand seven hundred and seventy-five, until the twenty-fourth Day of March one thousand seven hundred and seventy-seven: And whereas it has been found necessary 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 shall be, and the same is hereby continued until the twenty-fourth Day of March, in the Year of our Lord one thousand seven hundred and seventy-eight.

and further continued until March 24, 1778.

C A P. XII.

An Act to continue, for a further Time, an Act, made in the seventh Year of his present Majesty’s Reign, intituled, *An Act to discontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs-lard, and Grease.*

Preamble.
Act 7 Geo. III. recited,

“ WHEREAS an Act of Parliament, passed in the seventh Year of the Reign of his present Majesty (intituled, *An Act to discontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs lard, and Grease*): And whereas by two Acts, made in the tenth and thirteenth Years of his present Majesty’s Reign, the said Act had been continued until the twenty-fifth Day of March one thousand seven hundred and seventy-six: And whereas the allowing the Importation of Tallow, Hogs-lard, and Grease, for a further Time, Duty free, may be of great Advantage; 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 seventh Year of his present Majesty’s Reign, and all and every the Clauses, Provisions, Penalties, Forfeitures, Allowances, Matters and Things therein contained, shall be further continued from the Expiration thereof, until the twenty-fifth Day of March one thousand seven hundred and seventy-nine.

and further continued until March 25, 1779.

C A P. XIII.

An Act for the better securing a Fund, belonging to certain Persons of the Theatre Royal in *Drury lane*, applicable to charitable Uses; and for other Purposes therein mentioned.

Preamble.

“ WHEREAS in or about the Year one thousand seven hundred and sixty-six, a Contribution was begun at the Theatre Royal in *Drury-lane*, towards the charitable Purpose of establishing a Fund, for the Support of such Performers belonging to the said Theatre as, through Age, Infirmary, or Accident, should be obliged to retire from the Stage; the Managers of which Charity have since extended the same to the occasional Relief of Performers in case of Sicknefs, and also to the Relief and Support of the Widows and Children of deceased Performers belonging to the said Theatre: And whereas by the Profits arising from several Plays, acted for the Benefit of the said Charity, and the voluntary Contributions of the Performers belonging to the said Company, and other Persons, a Fund, to the Amount of Four Thousand Pounds, or thereabouts, is now in the Hands of certain Trustees applicable to the Purposes aforesaid: To the End therefore that the Money contributed as aforesaid, or which may hereafter be contributed towards increasing the said Fund, may be applied to the Purposes aforesaid, and to prevent, as far as may be, any Misapplication or Embezzlement thereof; may it please your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every the Subscribers to the said Fund for the Time being, during such Time as he, she, and they, respectively shall pay to the same, shall be, and are hereby declared to be, one Body Corporate and Politic, in Deed and in Name, and shall be called by the Name of *The Society established for the Relief of indigent Persons belonging to his Majesty’s Company of Comedians of the Theatre Royal in Drury-lane*: And by the same Name they shall have perpetual Succession, and a Common Seal; and that they, and their Successors, by the same Name may sue and be sued, implead and be impleaded, answer and be answered unto, in all or any Court or Courts of Record, and Places of Judicature, within this Kingdom of *Great Britain*; and that they, and their Successors, by the Name aforesaid, shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the Purposes aforesaid, all and every such Sum and Sums of Money as have been paid, given, devised, or bequeathed, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed, to and for the Ends and Purposes herein before mentioned; and that they, and their Successors, by the Name aforesaid, shall and may at any Time hereafter, without Licence in Mortmain, purchase, take, or receive, hold, and enjoy, any Lands, Tenements, or Hereditaments, not exceeding the yearly Value of five hundred Pounds.

Subscribers incorporated.

Their Name, and Powers.

Directors appointed;

who may alter the Common Seal, &c.

II. And be it further enacted, That, from and after the passing of this Act, *Thomas King, John Packer, John Moody, James Aicken, James William Dodd, Robert Baddeley, Francis Waldron, Richard Hurst, William Brereton, James Wrighten, William Parsons, John Palmer, and William Davies*, shall be, and they are hereby appointed, Directors for managing the said Fund, until the Fifth Day of April, which shall be in the Year of our Lord one thousand seven hundred and seventy-seven: And that the said Directors, and their Successors, to be elected in Manner herein after mentioned, or the Majority of such Directors for the

Time being, shall have full Power and Authority, from Time to Time, to dispose of the said Common Seal, and to alter and make new the same, and to direct the Use and Application thereof; and to make, ordain, and constitute, such and so many Bye-laws, Constitutions, Orders, and Regulations, as to them, or the major Part of them, shall seem necessary and convenient for the Appropriation of the said Fund, or touching, or in anywise concerning the Affairs and Business of the said Corporation; and the same Bye-laws, Constitutions, Orders, and Regulations, so made, to put in Use and enforce accordingly, and at their Will and Pleasure to revoke, change, and alter the same, or any of them: Which said Bye-laws, Constitutions, Orders, and Regulations, so as aforesaid made, shall be duly kept and observed by the said Corporation, and every Member thereof, provided the same be reasonable, and not contrary or repugnant to the Statutes, Customs, or Laws of this Kingdom, or the true Intent and Meaning of this Act.

make Bye-laws,

III. And be it further enacted, That the said Directors may, and are hereby impowered to appoint a Treasurer or Treasurers, and such other Officers as they shall think necessary for the Purposes of this Act; and shall and are hereby required to take such Security from their Treasurer or Treasurers as a Majority of the said Directors shall think proper.

and appoint Officers.

IV. And be it further enacted, That such Subscribers to the said Fund as may hereafter be entitled to receive any Benefit therefrom, shall meet together at some convenient Place, in or near the said Theatre, on the twenty-fifth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and seventy-seven, or within ten Days after, for electing Directors for the Year ensuing; and that previous to such Election, the Names of all the Directors for the Time being shall be written on distinct Pieces of Paper, being all of an equal Size, and rolled up in the same Manner, as near as may be, and shall be put into a Box, or some other convenient Receptacle, and shall be shaken together, after which some Person, not interested in such Election, shall draw out the said Names one by one, until the Number remaining in the said Box or Receptacle shall be reduced to six, and the six Persons whose Names shall so remain shall be six of the Directors for the ensuing Year; after which the said Subscribers present shall proceed to elect seven other Persons from amongst themselves (either such as were, or were not Directors for the preceding Year); and the Seven Persons so elected, together with the six Persons whose Names remained undrawn, as aforesaid, shall be the Directors for putting this Act in Execution for the Year next ensuing: And the said Subscribers shall also meet together on the twenty-fifth Day of *March*, or within ten Days after, in every succeeding Year, and elect Directors, in Manner before-mentioned, for the Year then next ensuing: And in case any one or more of the said Directors hereby appointed, or to be elected in Manner aforesaid, shall die, or refuse to act in the Execution of this Act, the said Subscribers shall and may meet together, at some convenient Place, in or near the said Theatre, and elect a Director or Directors in the Room and Stead of the Director or Directors so dying or refusing to act as aforesaid; and every Director so to be elected, in any or either of the Cases aforesaid, shall have the same Powers and Authorities, for the Purposes of carrying this Act into Execution, as the Directors herein and hereby nominated and appointed are invested with.

First Election of Directors.

Manner of Election.

Elections to be annual.

V. Provided always, and be it further enacted, That Notice of every such Election shall be affixed in Writing, in some conspicuous Part of the said Theatre, for three Days at the least, immediately preceding such Election; and that all Elections shall be decided by a Majority of Votes; and that every Subscriber to the said Fund shall have a Right to vote in every such Election.

Notice in Writing to be affixed in the Theatre Three Days before Election.

VI. Provided also, That at every annual Election of Directors for the Purposes of this Act, a Majority of the Directors for the ensuing Year shall consist of Persons belonging to, or employed at, the said Theatre.

A Majority of Directors to belong to the Theatre.

VII. And be it further enacted, That this Act shall be adjudged, 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 specially pleading the same.

Public Act.

C A P. XIV.

An Act for rectifying Mistakes in the Names of several of the Commissioners appointed by an Act, made in the last Session of Parliament, to put in Execution an Act made in the same Session, 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 seventy-five*; 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 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 seventy-six.

C A P. XV.

An Act for the better maintaining, regulating, and employing the Poor within the Parish of *Saint George*, in the County of *Middlesex*; and for cleansing and lighting the Squares, Streets, Lanes, Alleys, Courts, Yards, and other open Passages and Places; and for keeping and regulating a Nightly Watch within such Parts of the said Parish as are not within the Liberty of the Tower of *London*.

C A P.

C A P. XVI.

An Act for enlarging the Term and Powers, granted by three Acts of Parliament, for laying a Duty of Two Pennies Scots upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purposes in the said Acts mentioned.

Preamble.

Act Parl. Scotland, 1707, recited.

Act 4 Geo. II.

and 20 Geo. II. recited.

WHEREAS by an Act passed in the Parliament of *Scotland*, in the Year of our Lord one thousand seven hundred and seven, an Imposition of Two Pennies Scots (over and above the Duty of Excise), was laid upon every Pint of Ale and Beer brewed, brought in, tapped, vended, and sold, within the Town of *Dundee*, and the Liberties and Suburbs thereof, for paying off and discharging such public Debts as then had been incurred, on several Occasions, by the said Town, which Act was to have Continuance for the Term of twenty-four Years, to be computed from the twenty-fifth Day of *March*, which was in the Year one thousand seven hundred and seven: And whereas by another Act, passed in the fourth Year of the Reign of his late Majesty King *George* the Second, it was enacted, That the said Duty of Two Pennies Scots, or one-sixth Part of a Penny Sterling, by the said former Act granted, should be further continued and made payable to the Provost, Magistrates, and Town Council of the Royal Borough of *Dundee*, and their Successors in Office for the Time being, and their Collectors and Assigns, for the several Purposes in the said Act particularly mentioned and declared; which said last mentioned Act was to continue and be in Force for and during the further Term of twenty-five Years, to be computed from the twenty-fifth Day of *March*, one thousand seven hundred and thirty-one, and from thence to the End of the then next Session of Parliament: And whereas by another Act, passed in the twentieth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for enlarging the Term and Powers granted by two Acts of Parliament, for laying a Duty of Two Pennies Scots upon every Pint of Ale and Beer brewed and vended within the Town of Dundee, and the Liberties and Suburbs thereof, for the Purposes in the said Acts, and this present Act mentioned*; it was enacted, That the said recited Acts, and each of them, and all and every the Authorities, Powers, Articles, Rules, Penalties, Provisoes and Clauses therein contained, (except such Clauses, Matters, and Things, as were by the said last mentioned Act altered or varied) should continue and be in Force, and be executed from and after the first Day of *May*, in the Year one thousand seven hundred and forty-seven, for and during the Term of twenty-five Years by the said former Acts granted, as well for empowering the Magistrates to pay yearly out of the said Duty the Sum of sixteen Pounds thirteen Shillings and four Pence, as an additional Provision to each of the three Ministers of the said Town, and their Successors for the Time being, and also for other the Purposes in the said former Acts, or either of them, mentioned, as for finishing and completing the Common Hall and Gaol of the said Town, and for empowering the Magistrates and Town Council to convert the Hospital of the said Town, then used for the Reception of decayed Burghers, into a Workhouse for employing and setting the poor Inhabitants of the said Town to work; and that from and after the Expiration of the Term by the said former Acts granted, the subsisting Term was by the said last mentioned Act enlarged and continued for the further Term of twenty-five Years from thence next ensuing, and from thence to the End of the then next Session of Parliament, subject and liable to the Payment of the Money then due and owing, or to be due and owing on the Credit of the Duties by the said former Acts, or either of them, or the said reciting Act, granted and made payable for the Purposes therein mentioned and declared: And whereas the Money arising by the said Duty hath been duly applied according to the Direction of the said Acts, and great Progress hath been made in carrying on the Works thereby directed to be done, whereby a considerable Debt is now owing on the Credit of the said former Acts, which cannot be paid off, and the Repairs and other necessary Works by the said Acts directed to be done, carried on and completed, unless the Terms and Powers, by the said former Acts granted, be 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 Parliament assembled, and by the Authority of the same, That the Imposition or Duty, granted and made payable by the said recited Acts, upon Ale and Beer, brewed, brought in, tapped, vended and sold within the Town of *Dundee*, and the Liberties and Suburbs thereof, shall, from and after the Expiration of the Term by the said last recited Act granted, be further continued, raised, levied, collected, paid, and made payable to the Provost, Magistrates and Town Council of the said Borough of *Dundee*, and their Successors in Office for the Time being, and their Collectors and Assigns, for the further Term of twenty-five Years, and from thence to the End of the then next Session of Parliament. II. And be it further enacted by the Authority aforesaid, That the aforesaid Imposition or Duty shall, during the additional Term by this Act granted, be raised, levied, and collected, from the same Persons, and by the same Means and Methods, and under the same Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the same Uses and Purposes; and that the Provost, Magistrates, and Town Council of the said Borough of *Dundee*, be and continue Trustees for such Application, with the same Powers, and subject to the same Rules and Directions as are mentioned and declared in the said recited Acts; and that the said recited Acts, and every Authority, Power, Article, Rule, Clause, Matter, and Thing therein contained, shall be of the same Force and Effect to all Intents and Purposes, for raising, collecting, securing, and levying the said Imposition or Duty, and for applying the same for the Uses and Purposes mentioned in the said recited Acts, so far as the same are not already executed, for and during the said additional Term of twenty-five Years, for which the same are hereby granted, as fully and effectually as if the said former recited Acts were particularly and at large repeated and re-enacted in the Body of this present Act (except such Clauses, Matters, and Things, as were by the said recited Acts and this present Act varied or altered).

The Duty on Ale and Beer brewed, &c. in *Dundee*, further continued for 25 Years.

The Duty to be levied on the same Persons, and in the same Manner, &c. as mentioned in former Acts.

III. And be it further enacted by the Authority aforesaid, That besides the Remedies and Execution granted and provided by the said recited Acts, for levying, recovering, and making effectual, the several Rates, Duties, and Impositions, hereby granted and continued, the said Provost, Magistrates, and Town Council, and their Collectors and Assigns, shall, from and after the Commencement of this present Act, and during the Continuance thereof, be intitled to use all such other Methods, Remedies, and Execution against the Person or Persons neglecting or refusing to pay the said Rates, Duties, and Impositions, as is competent by the Law of *Scotland*, to the Provost, Magistrates, and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of such Boroughs.

New Powers granted to Provost, Magistrates, &c.

IV. And be it further enacted by the Authority aforesaid, That the Right Honourable the Earl of *Strathmore*, the Right Honourable the Earl of *Panmure*, the Right Honourable *John Lord Gray*, the Right Honourable Lord *Kinnaird*, Sir *John Ogilvie* Baronet of *Inner Carrity*, Sir *John Wedderburn* Baronet of *Balindean*, *Archibald Douglas* of *Douglas*, *Thomas Fotheringham* of *Pourrie*, *Robert Graham* of *Fintry*, *Alexander Duncan* of *Lundy*, *Alexander Scrymgeour* of *Tealing*, *Archibald Ogilvy* of *Inchmartin*, *James Guthrie* of *Craigie*, *Charles Hunter* of *Burnside*, *David Hunter* of *Blackness*, *William Douglas* of *Brigton*, *Robert Fletcher* of *Balingshoe*, *Robert Speid* of *Ardevie*, *James Ogilvie* of *Ruthven*, *John Rankin* of *Dudhop*, *Alexander Read* of *Logie*, *David Read* of *Drumguth*, *George Dempster* of *Dunnichen*, shall be, and are hereby appointed Overseers of the Imposition or Duty hereby continued and granted, and of the Application thereof, (excepting always what shall or may concern the aforesaid Hospital, and the Pensions payed to decayed Burghers, and in relation to the said Workhouse, and the Poor employed therein), in Place and Stead of the Overseers appointed by the said recited Acts, and shall have, and are hereby vested with, the same Powers, and under the same Regulations, as are in and by the said above recited Acts granted and given to the former Overseers, as well as all other the Powers hereby made and given; any Thing in the said former Acts or herein contained to the contrary thereof in anywise notwithstanding.

Overseers of the Duty appointed.

V. And be it further enacted by the Authority aforesaid, That at the first Meeting of the said Overseers, the Magistrates of the said Borough of *Dundee* shall, and are hereby required to lay before the said Overseers, or any three or more of them, an Account of all the Debts of the Town at that Time due and owing, to be entered in a Book to be kept for that Purpose; and that at the said first or any subsequent Meeting of the Overseers, they, or any three or more of them, are hereby authorised and impowered to make and settle such Bye-laws, Rules, Orders, and Regulations, for the better Management and Government of the different Matters and things in the said recited Acts and this present Act mentioned, (except as before excepted) as to them shall appear to be necessary, consistent always with the said former Acts and this present Act, and the Laws of *Scotland*: And the said Magistrates shall, and they are hereby required, from Time to Time, to lay before the Overseers an Account of all the Debts contracted upon Account or by Reason of any of the Matters and Things aforesaid, (except as before is excepted), together with the Agreements, Covenants, Accounts, and Vouchers relating thereto; which said Account of Debts shall be fairly entered in a Book to be kept for that Purpose, and an Entry shall be made yearly, and every Year, during the Continuance of this present Act.

Magistrates, at first Meeting of Overseers, to lay before them an Account of the Town Debts, &c.

Overseers may make Byelaws. Magistrates to lay before the Overseers an Account of Debts contracted, to be entered in a Book annually.

Publick Act.

VI. And be it further enacted by the Authority aforesaid, That this present Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such in all Courts of *Great Britain*, and by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. XVII.

An Act for building a Bridge across the River *Severn* from *Bentball*, in the County of *Salop*, to the opposite Shore at *Madeley Wood*, in the said County; and for making proper Avenues or Roads to and from the same.

WHEREAS a very considerable Traffick is carried on at *Coalbrook Dale*, *Madeley Wood*, *Bentball*, and *Broseley*, in the County of *Salop*, and the Places adjacent, in Iron, Lime, Potters Clay, and Coals, and the Persons carrying on the same are frequently put to great Inconveniencies, Delays, and Obstructions, by reason of the Insufficiency of the present Ferry over the River *Severn* from *Bentball* to *Madeley Wood*, commonly called *Bentball Ferry*, particularly in the Winter Season, in which Time it is frequently dangerous, and sometimes impassable: And whereas the Reverend *Edward Harries* and *Abraham Darby* are Owners of the said Ferry, who, with the several Persons herein after named, are willing and desirous, at their own proper Costs and Charges, to begin, carry on, complete, maintain, and keep in Repair, a Bridge over the said River from *Bentball* to *Madeley Wood* aforesaid; whereby the Inconveniencies, Delays, and Obstructions now subsisting will be effectually remedied, and great Benefit will accrue to the Publick by facilitating the Communication and Intercourse between the several Places before mentioned and the adjoining Counties, and promoting the several Trades and Manufactures carried on therein: 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 Reverend *Edward Harries*, *Abraham Darby*, *John Wilkinson*, *Edward Blakeway*, *Charles Guesf*, *Roger Kynaston*, *Leonard Jennings*, *John Morris*, *John Thursfield*, *Serjeant Roden*, *John Hartshorne*, *Thomas Farnolls Pritchard*, and *John Nicholson*, together with such Person or Persons as they, or such of them as shall be present at any Meeting to be held for that Purpose, shall admit, by Writing under their Hands and Seals in Manner herein after mentioned, and their respective Executors, Administrators, and Assigns, shall be and are hereby appointed Trustees for carrying on, building, completing, and maintaining, at their own proper Costs and Charges, a Bridge of Cast-iron, Stone, Brick, or Timber, across the River *Severn*, from or near a House in the Occupation of *Samuel Barnett* at *Bentball*, in the County of *Salop*, to the opposite

Preamble

Trustees appointed;

who are impowered to build a bridge across the *Severn*;

Shore near the House of *Thomas Crumpton* at *Madeley Wood*, in the said County, and for making and keeping in good and sufficient Repair proper Roads or Avenues to and from the same; and for that Purpose shall have full Power and Authority, by themselves, and their Agents, Servants, Workmen, and others, to remove any Shelves or other Obstructions in the said River, and to dig up, take, and carry away, all Beds of Gravel, Sand, Mud, or any other Impediment, and also to dig and cut the Banks of the said River in such Manner as shall be necessary and proper for the building the said Bridge, and to erect and make, in and over the said River and the Lands adjoining or near the same, any Campshots, Trenches, and Landing-Places, and to pull down and remove any Houses or other Buildings, Wharfs or other Erections, and from Time to Time, and at all Times hereafter, to do all other Matters and Things necessary and convenient for erecting, supporting, and maintaining the said Bridge, doing as little Damage as may be, and first making Satisfaction and Recompence to the Owners, Proprietors, or Occupiers of, and Persons interested in, any Houses, Buildings, or other Erections, Lands, Tenements, or Hereditaments, that shall be made use of, pulled down, damaged, or prejudiced, by, for, or upon account of erecting and maintaining the said Bridge, or by, for, or upon account of turning, widening, altering, and making proper Roads or Avenues to and from the same, or by, for, or upon account of the doing and performing any other Act, Matter, or Thing hereby authorized to be done and performed for carrying the Purposes of this Act into Execution.

and to pull down Houses, &c.

making Satisfaction for the same.

Bodies Politick, &c. may sell and convey Houses, Lands, &c.

II. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbonds, Guardians, Committees for Lunaticks and Idiots, and other Trustees whatsoever, for and on Behalf of themselves, their Heirs and Successors, Infants or Issue unborn, Lunaticks, Idiots, Femmes-covert, or *Cestuique* Trusts, and other Persons whatsoever, and to and for all Femmes-covert who are or shall be seized in their own Right, and to and for all and every other Person or Persons whomsoever, who are or shall be seized or possessed of, or interested in, any such Houses, Buildings, Erections, Lands, Tenements, or Hereditaments, of any Tenure whatsoever, to treat, contract, or agree with the said Trustees, or any three or more of them, for the Purchase thereof, or of any Part thereof; or for their Interest therein, or by way of annual Rent for the same, and to sell and convey the same as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding: And all Feoffees in Trust, Executors, Administrators, Husbonds, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

If Parties cannot agree, Justices to settle differences.

Jury to be summoned;

III. And be it further enacted, That in case any Difference or Dispute shall arise between such Owners, Occupiers, or Persons interested, and the said Trustees, concerning the Recompence or Satisfaction to be made for the Purchase of any such Houses, Erections, Lands, Tenements, or Hereditaments, or for any Interest therein, or Loss or Damage as aforesaid; or in case any such Owner, Occupier, or Person interested as aforesaid, shall neglect or refuse to treat, for the Space of Fourteen Days after Notice to him, her, or them, given in Writing, or left at the House of the Tenant in Possession of the Premises respectively, it shall and may be lawful to and for the Justices of the Peace for the County of *Salop*, or any two or more of them, to hear, settle, adjust, and determine the same; and for that Purpose it shall and may be lawful to and for the said Justices, or any two or more of them, to cause the Matter in Dispute to be enquired into by and upon the Oaths of a Jury of twelve indifferent Men, and to ascertain what Damages will be sustained by, and what Satisfaction and Recompence shall be made to, such Owners, Occupiers, and Proprietors of, or other Person or Persons respectively interested in, any such Houses, Buildings, Erections, Lands, Tenements, or Hereditaments; and they the said Justices, or any two or more of them, are hereby empowered and authorized, from Time to Time, to issue their Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Salop*, thereby requiring him to impanel, summon, and return a Number of substantial and disinterested Persons, qualified to serve on Juries, not less than twenty-four, nor more than forty-eight, which Persons such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear according to or upon such Summons, a Jury of twelve shall be drawn by such Justices, or any two or more of them, or some Person to be by them appointed, in such Manner as Juries for the Trials of Issues joined in his Majesty's Courts at *Westminster*, by an Act passed in the Third Year of his late Majesty's Reign, (intituled, *An Act for the better Regulation of Juries*), are directed to be drawn; and the Persons so to be impanelled, summoned, and returned, are hereby required to appear before the said Justices, or any two or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, (of which Time and Place all Parties interested shall have fourteen Days Notice given or left in Manner as aforesaid) and to attend them from Day to Day till they shall be discharged by such Justices, or any two or more of them, and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Justices, or any two or more of them, are hereby authorized and empowered, by Precept or Precepts under their Hands, from Time to Time, as Occasion shall require, to call before them any Person or Persons in order to be examined as a Witness or Witnesses upon Oath before the said Justices, or any two or more of them, or such Jury, touching and concerning the Premises; and such Justices, or any two or more of them, if they shall think fit, shall and may cause the said Jury to view the Place or Places in question, and shall have Power to adjourn such Meeting from Day to Day as Occasion shall require, and to order such Jury, Witnesses, and Parties to attend until all the Matters for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, and also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Justices, or any one or more of them, is and are hereby empowered and required to administer) shall enquire

and to appear before the Justices.

Justices may examine Witnesses on Oath.

Jury to view the Places in question,

quire touching the Value of such Houses, Buildings, or other Erections, Lands, Tenements, and Hereditaments, and of the respective Estates and Interests of all the Persons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, seized or possessed, or interested therein, or of or in any Part thereof, or the Damages which shall or may be done to any Houses, Buildings, Lands, Tenements, or Hereditaments, by the doing or performing any of the Matters and Things by this Act authorized to be done and performed; and shall assess the Sum or Sums, Rent or Rents, to be paid to every such Person or Persons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, for such their Estates and Interests, and as a Recompence or Satisfaction for the Damages they shall sustain as aforesaid; and the said Justices, or any two or more of them, shall give Judgment for such Sum and Sums of Money, Rent or Rents, so to be assessed; and the Verdict or Inquisition of such respective Juries, and the Judgments, Orders, and Decrees of the said Justices thereupon, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever, against the King's Majesty, his Heirs and Successors, and all Parties or Persons whomsoever, as well absent as present, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of such Houses, Buildings, Lands, Tenements, or Hereditaments, either in Possession, Reversion, Remainder, or Expectancy, or otherwise, as well Infants and Issue unborn, Lunatics, Idiots, and Femmes-covert, and Persons under any legal Incapacity or Disability whatsoever, and all other *Cestuique* Trusts, his, her, and their Heirs, Successors, Executors and Administrators, as against all other Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons, interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, shall thereby, after Payment or Tender, and Refusal or Neglect, in Manner herein after mentioned, be from thenceforth to all Intents and Purposes divested of all Right, Claim, Interest, or Property, of, in; to, or out of the same; and two Transcripts of all such Verdicts or Inquisitions, and Judgments, Orders, or Decrees, and all other Proceedings of the said Justices and Juries so to be made, given or pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the Justices making and pronouncing the same, one of which Transcripts so signed and sealed shall be forthwith transmitted to the Clerk or Treasurer to the said Trustees, and the other of the said Transcripts so signed and sealed shall be forthwith transmitted to the Clerk of the Peace for the County of *Salop*, to be preserved amongst the Records of the said County; and the said Transcripts so signed and sealed shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, signed and proved to be signed by the said Clerk or Treasurer to the said Trustees for the Time being; or by the said Clerk of the Peace for the Time being, shall be good and sufficient Evidence in any Court of Law or Equity whatsoever; and all Persons concerned may have Recourse to the said Transcripts, *gratis*, and take Copies thereof, paying for each Copy, not exceeding the Sum of Sixpence for every two hundred Words, and so in Proportion for any greater or less Number of Words: And upon Payment of the Sum or Sums of Money so assessed by such Juries, and adjudged or decreed by such Justices, to the Party or Parties concerned or intitled thereto as aforesaid, or to their Agent, or legal Tender thereof made to him or them, and Refusal to accept the same; or in case any such Person or Persons, after Fifteen Days Notice given to him, her, or them, or left at the House of the Occupier of the Premises, shall refuse or neglect to receive the same, then upon Payment thereof into the Hands of such Person or Persons as the said Justices, or any two or more of them, shall by any Writing under their Hands appoint, for the Use of the Party or Parties interested as aforesaid, and to be paid upon Demand to him, her, or them, or to his, her, or their Agent or Agents; or after such annual Rent or Rents shall be so assessed, it shall and may be lawful to and for the said Trustees, their Heirs, Executors, Administrators, and Assigns, to have, hold, use, and enjoy such Houses, Buildings, Lands, Tenements, or Hereditaments, to and for the Purposes of this Act; and it shall be lawful to and for their Agents, Workmen, and Servants, to pull down and dispose of any such Houses, Buildings, and Tenements; and to make use of any such Lands, Hereditaments, and other Premises, for the Purposes of this Act; and this Act shall be sufficient to indemnify as well the said Justices as the said Trustees, and all and every Person and Persons by them appointed and employed, or acting by Authority under them, against such Owners, Proprietors, Occupiers, and Persons interested, their Heirs, Successors, Executors, Administrators, and Assigns, and against all and every other Person and Persons whomsoever, to all Intents and Purposes whatsoever.

and assess the Damages.

Verdict of the Jury, &c. to be final.

Two Transcripts of Verdicts, &c. to be signed by Justices;

which shall be deemed Records.

Trustees, upon Payment of Money assessed by Juries, &c. to hold Houses, Lands, &c. for the Purposes of this Act.

IV. And be it further enacted, That in case a sufficient Number of Jurymen shall not attend to be sworn for the Purposes of this Act, the said Sheriff or his Deputy shall return such other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, as shall be necessary to make up the Number of twelve to serve on such Jury; and that all Persons concerned shall, from Time to Time, have their lawful Challenges as aforesaid against any of such Jurymen, when they come to be sworn; and the said Justices, or any two or more of them acting in the Premises, shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premises, or upon any Person or Persons who shall be summoned and returned on any such Juries, and shall not appear, or who shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and likewise upon such Person or Persons summoned as aforesaid to give Evidence, who shall neglect or refuse to appear at such Time or Times, Place or Places, as shall be appointed for that Purpose as aforesaid, or appearing shall refuse to be sworn or give Evidence, or to be examined by or before the said Justices, or any two or more of them, and, from Time to Time, to levy such Fine or Fines by Distress and Sale of the Goods and Chattels of any Person or Persons offending in any of the Matters or Things aforesaid, by Warrant or Warrants under the Hands and Seals of such Justices, to be directed to the Constable or other Peace Officer of the Township, Parish, or Place, where such Offender or Offenders shall

How Sheriff to proceed if a sufficient Number of Jurymen do not attend.

Justices may impose a Fine on Sheriff, Jurors, or Witnesses, for Neglect or Duty,

not exceeding
40s.

Justices, &c. not
to act where
interested.

Trustees not to
take Possession
of Lands, &c.
before Satisfac-
tion made; ex-
cept for the
Purpose of sur-
veying, &c.

Damages to be
ascertained by a
Jury.

If Trustees
make Default
in Payment, to
be levied by
Distress, &c.

Expences of Ju-
ry, Witnesses,
&c. how to be
paid.

Trustees liable
to Actions for
Rent.

Bridge vested in
Trustees,
who may take
the following

live, which Constable or other Peace Officer is hereby required to execute the same, so as no such Fine exceed the Sum of forty Shillings; which Fine shall be paid to the Treasurer or Clerk to the said Trustees, or to such Person or Persons as the said Trustees shall appoint to receive the same.

V. Provided always, That no Person or Persons whomsoever shall sit or act as a Justice or Justices in any Case where he or they is or are in any-ways directly or indirectly interested or concerned of or in the Matter or Matters in Question; nor shall any Person whomsoever be sworn to serve on any Jury, or be examined as a Witness, where he or she is any-ways directly or indirectly interested or concerned.

VI. Provided also, and be it further enacted, That the said Trustees shall not take Possession of or enter into any such Lands, Tenements, or Hereditaments, until such Payment or Deposit of the Recompence or Satisfaction assessed and adjudged as aforesaid shall be made, or in case of Rent, until the same shall be assessed and adjudged as aforesaid, otherwise than for the Purpose of surveying, taking a Level of and marking out the Ground which they intend to make Use of for the Purposes aforesaid, and which it shall and may be lawful to and for them the said Trustees, with Workmen, Surveyors, and other proper Assitants, to do from Time to Time, and at every convenient Time, doing thereby as little Damage as may be, and giving four Days Notice to the Owner, Proprietor, Occupier, or Possessor of such Lands, Tenements, or Hereditaments, of the Time of coming to make such Survey, or to take such Levels, or to mark out such Ground, in order that such Owner, Occupier, or Possessor, may be present, if he, she, or they shall think fit, and making Satisfaction for all Damages that shall be done to any Grass or Corn by making such Survey, taking such Level, or marking out such Ground, so as such Damage exceed the Value of one Shilling.

VII. Provided also, and be it further enacted, That if any Person or Persons, at any Time after the said Trustees, their Agents, Workmen, or Servants, shall begin to erect the said Bridge, shall sustain any Damage or Injury in his, her, or their Houses, Buildings, Lands, or other Hereditaments, (for which he, she, or they shall have had no Recompence) by any Act, Neglect or Default of the said Trustees, then and in such Case the said Justices, or any two or more of them, shall enquire of and ascertain such Damage and Recompence by a Jury to be impanelled and returned as aforesaid, in like Manner and Form as Damages and Recompence are herein before appointed to be assessed and adjudged; and in Default of Payment thereof by a certain Day to be appointed by the said Justices, or any two or more of them, they the said Justices, or any two or more of them, shall and may, by Warrant under their Hands and Seals, authorise and empower such Person or Persons as they shall think fit, to levy the same by Distress and Sale of the Goods and Chattels of the said Trustees, or of any one of them, together with such Costs and Charges as such Justices, or any two or more of them, shall in such their Warrant direct, rendering to the said Trustees or Trustee the Overplus (if any be) after deducting the Charges of such Distress and Sale; or otherwise such Party or Parties so aggrieved shall and may have Remedy for the Sum of Money so assessed and not paid, according to the Judgment of such Justices as aforesaid, by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, or in any other Court of Record, against the said Trustees, or any one of them, or against their Clerk or Treasurer for the Time being.

VIII. Provided always, That in case any Verdict or Assessment shall be given for more Money as a Recompence or Satisfaction for the Right, Interest, or Property, of any Person or Persons in any such Buildings, Lands, Tenements, or Hereditaments, or for any Loss or Damage, than what shall have been agreed to and offered by the said Trustees before the summoning and returning such Jury, then the Costs and Expences of summoning the Jury and Witnesses, and of the said Justices, and all other Expences incident thereto, shall be paid by the said Trustees out of the Tolls arising by virtue of this Act, or out of any Money to be borrowed upon the Credit thereof; but in case the Verdict or Assessment given shall be for no more or for less Money than shall have been first agreed to and offered by the said Trustees as aforesaid, then such Costs and Expences shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; any Law or Statute to the contrary notwithstanding.

IX. And be it further enacted, That all and every annual Rent or Rents to be agreed for or assessed as aforesaid for any Lands, Tenements, or other Hereditaments, shall from Time to Time, as the same shall become due, be paid by the said Trustees, or by their Clerk or Treasurer, half-yearly, to the Person or Persons who shall be entitled thereto, and such Person or Person shall have the same Estate and Interest in such annual Rent or Rents as they would have had to the said Premises in case this Act had never been made; and in Default of Payment thereof within Thirty Days after the same shall become due, (and being lawfully demanded) it shall and may be lawful for the Person or Persons who shall from Time to Time be entitled to the said annual Rents, or any of them, to commence or prosecute one or more Action or Actions at Law on the Case or in Debt against the said Trustees, or any one of them, or against their Clerk or Treasurer for the Time being, and shall and may upon such Action or Actions recover the Money then due, together with Costs of Suit, and have such Remedies for the same as are allowed by Law in other Cases.

X. And be it further enacted, That for and in Consideration of the great Charges the said Trustees, their Executors, Administrators, and Assigns, will be obliged to defray in erecting the said Bridge, and repairing and supporting the same, and also in doing and performing the several other Matters and Things necessary, and herein before authorised to be done and performed, the said Bridge when built shall be and is hereby vested in the said Trustees, their Executors, Administrators, and Assigns, for ever; and it shall be lawful to and for the said Trustees, from Time to Time, and at all Times hereafter, to ask, demand, receive, recover, and take, to and for their own proper Use, Behoof, and Benefit, at any Turnpike or Toll-house to be erected by virtue of this Act, before any Passage shall be permitted through the same, the several Sums following; that is to say,

For every Coach, Chariot, Landau, Berlin, Hearse, Chaise, Calash, Chair, or other such like Carriage, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of two Shillings; and drawn by four Horses, Mares, Geldings, or Mules, the Sum of one Shilling and Sixpence; and drawn by two Horses, Mares, Geldings, or Mules, the Sum of one Shilling; and drawn by one Horse, Mare, Gelding, or Mule, the Sum of Sixpence:—For every Horse, Mare, Gelding, Mule, or Ass, and for every Pair or Yoke of Oxen or horned Cattle, drawing or harnessed, or yoked and intended to draw in any Waggon, Wain, Cart, or other such like Carriage, the Sum of Three-pence:—For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of one Penny Halfpenny:—For every Horse, Mare, Gelding, Mule or Ass, carrying double, the Sum of Two-pence:—For every Drove of Oxen, Cows, or Neat Cattle, the Sum of one Shilling and Eight-pence per Score; and so in Proportion for any less Number:—For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence per Score; and so in Proportion for any less Number:—For every Sledge, Drag, or such like Carriage, the Sum of Sixpence; and for every Foot Passenger one Halfpenny:

Tolls.

Which said several and respective Sum and Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty; and the Money arising thereby, and also all other Monies to be received by Authority of this Act, are hereby vested in the said Trustees, their Executors, Administrators, and Assigns, and shall be applied to and for the several Uses, Intents, and Purposes, and in such Manner as by this Act is directed and appointed; and the same and every Part thereof shall be paid to them accordingly, or to such Person or Persons as they shall appoint to receive the same: And they the said Trustees by themselves, or by any Person or Persons by them appointed and employed, shall and may erect, or cause to be erected, a Turnpike or Toll-house upon, across, or near to the said Bridge, and also upon, in, or across the Roads or Avenues herein after mentioned leading to and from the same, and from Time to Time take down and remove such Turnpikes or Toll-houses as Occasion shall be or require, and thereat to collect and receive, or cause to be collected and received, and to levy the Tolls or Duties hereby made payable upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same; and the Person or Persons from Time to Time appointed to collect and receive the said Tolls or Duties shall be, and he and they is and are hereby authorized and empowered to seize and distrain any Horse, Cattle, or other Thing, upon or in respect of which any Toll or Duty is by this Act imposed, or any other of the Goods and Chattels of any Person or Persons refusing or neglecting to pay as aforesaid, and to detain the same for any Time not exceeding the Space of four Days; and then, if the Tolls or Duties for which such Distress shall have been made, together with the Charges attending the detaining and keeping the same, shall not be fully paid and satisfied, he or they shall and may sell the same, rendering the Overplus (if any be) after deducting the Charges of distraining, keeping, and selling the Goods or Chattels so distrained, to the Owner or Owners thereof.

Trustees may erect Turnpikes and Toll-houses.

If Payment of Tolls is refused, Collector may distrain, &c.

XI. Provided always, That the Person or Persons who shall have paid any of the said respective Tolls, shall only be intitled to pass over the said Bridge and through the several Gates or Turnpikes to be erected in pursuance of this Act with the same Horse, Beast, Cattle, or Carriage, for and in respect whereof such Tolls shall have been demanded and paid; but that no Foot Passenger whatsoever shall be liable to pay Toll more than twice in any one Day for passing and repassing over the said Bridge.

Provided

XII. Provided also, That the Driver of any Packhorse, or of any Cart or other Carriage drawn by Horses or other Cattle, shall be permitted to pass Toll-free through any Gate or Turnpike to be erected in pursuance of this Act, any Thing herein contained to the contrary notwithstanding; and no Toll shall be demanded or taken from any Person or Persons who shall have Occasion to pass through any Gate or Turnpike to be erected upon any Road or Avenue leading to the said Bridge on Foot, nor for or in respect of any Carriage or Beast passing to any Place or Places between such Gate or Turnpike and any Warehouse, Quay, or Wharf, on the Banks of the said River *Severn*, on either Side thereof, without going upon or over the said Bridge; nor shall any more than one Half of the Tolls or Duties hereby granted be demanded or taken for or in respect of any Carriage or Beast having Occasion to pass through any such Gate or Turnpike to any such Warehouse, Quay, or Wharf, on either Side of the said River only, without going upon or over the said Bridge.

Exemptions from Tolls.

XIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any Meeting to be held for that Purpose, (whereof fourteen Days previous Notice shall be given and affixed on the Market-house at *Brosely*, and on the Turnpikes or Toll-houses to be erected in pursuance of this Act) with the Consent of such and so many of the Trustees as shall have advanced the greater Part of the Money borrowed upon the Credit of the Tolls hereby granted, to lessen or reduce the several and respective Sums by this Act authorized to be demanded and taken at any Gate or Turnpike to be erected by virtue hereof, and from Time to Time afterwards to advance and augment the same again, so as not to exceed the several Sums herein before specified; and the Tolls so lessened or reduced and raised again shall be collected and levied in such Manner, and applied for such Uses and Purposes, as the Tolls hereby granted are directed to be collected, levied, and applied.

Trustees may reduce the Tolls, with Consent of Creditors, &c.

XIV. And be it further enacted, That the said Trustees shall and may, and they are hereby empowered, by Writing under their Hands and Seals, to let, demise, or to farm-let the Tolls or Duties by this Act granted to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Term or Time not exceeding three Years, for the best Price such Trustees can get for the same, payable at such Times, and under such Restrictions and Covenants, as the said Trustees shall think fit; and if the Money which shall be agreed to be paid for the said Tolls, or any Part thereof, shall not be paid to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within the Space of Five Days next after the same shall become due and payable, then upon Proof of such Letting and of such Non-payment before any Justice of the Peace for the County of *Salop*, on the Oath of one Person, (which Oath such Justice is hereby empowered to administer) the Money so due and owing shall

Trustees may lease the Tolls &c.

If Rent not duly paid, may levy the same by Distress.

shall and may be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who ought to pay the same, by Warrant under the Hand and Seal of such Justice, and the Overplus (if any be) after deducting the reasonable Charges of such Distress and Sale, shall be returned to the respective Owner or Owners of such Goods and Chattels upon Demand; and if sufficient Goods and Chattels of the Person or Persons neglecting to pay as aforesaid cannot be found to answer and satisfy the Money in Arrear as aforesaid, and the reasonable Charges of such Distress and Sale, then such Justice of the Peace may, and is hereby required, by Warrant under his Hand and Seal, to cause such Person or Persons to be committed to the common Gaol of the County of *Salop*, there to remain until the Money so in Arrear and unpaid, and also the Charges of such Distress and Sale, shall be fully paid and satisfied, or until he or they shall have compounded with the said Trustees for the same, and shall have paid such Composition to the said Trustees, or to such Person or Persons as they shall appoint; which said Composition the said Trustees are hereby empowered to make and receive.

Where sufficient Distress cannot be found, Parties to be committed.

Penalty on ferrying for Hire to evade the Tolls.

XV. And be it further enacted, That if any Person or Persons shall use or employ any Boat, Barge, or other Craft, to ferry or convey any Person or Persons, Cattle, or Carriages, across the River *Severn*, within the Distance of Five hundred Yards above or below the Site of the said Bridge, when built, for Gain or Hire, or to evade the Payment of the Tolls hereby granted, or any Part thereof, the Owner or Owners of any such Boat, Barge, or other Craft, and the Person or Persons employing or using the same as aforesaid, shall respectively forfeit the Sum of Twenty Shillings for every Person, Horse, Mare, Gelding, Mule, Ass, Beast, Sheep, Swine, Calf, or Lamb, and for every Coach, Waggon, or other Carriage whatsoever, which shall be ferried or conveyed as aforesaid.

Penalty on Persons evading the Tolls.

XVI. And be it enacted, That if any Person or Persons shall at any Time or Times put or leave in any House or Place any Coach, Waggon, Dray, Drag, Sledge, or any other Carriage, Horse, or any other Cattle or Beast whatsoever chargeable with any of the Tolls hereby granted, at or before the same shall come to any Gate or Turnpike to be erected by virtue of this Act, with Intent to evade the Payment of Toll, each and every Person offending in any of the Cases aforesaid shall, for every Offence, forfeit and pay the Sum of twenty Shillings.

Property of the Ferry, &c. vested in the Trustees.

XVII. And be it further enacted, That the Right and Property of the said Ferry, called *Benthall Ferry*, and the said Bridge, when built, and also of all the Turnpikes and Toll-houses, and the Materials of which the same shall be made and consist, and all the Posts and Rails to be set up by virtue of this Act, shall be and the same are hereby severally vested in the said Trustees, their Executors, Administrators, and Assigns; and they are hereby empowered to bring, or cause to be brought, any Action or Actions, in the Name of their Clerk or Treasurer, against any Person or Persons who shall disturb or injure them in the Possession thereof; which Action or Actions shall not abate or be discontinued by the Death or Removal of such Clerk or Treasurer, but shall go on and be continued by the succeeding Clerk or Treasurer to the said Trustees; and all Damages, Satisfaction, and Costs, which shall be recovered in or by such Action or Actions, shall be accounted for and paid to the said Trustees, or to such Person or Persons as they shall direct and appoint, and shall be applied to and for the Uses and Purposes of this Act; and all Charges to be incurred in carrying on such respective Actions or relating thereto shall be paid out of the Monies to be raised and received by virtue of this Act.

Commodious Avenues to be made to the Bridge.

XVIII. And be it further enacted, That one proper and commodious Road or Avenue shall be made to the said Bridge from the Turnpike Road leading from *Shiffnal* to *Buildwas*, beginning on *Lincoln Hill*, at or near Lands now or late in the Possession of *Cornelius Oram*, over a certain waste Part of the Manor of *Madeley*, to a Bridle Road at or near a House belonging to *Richard Beard*; and one other proper and commodious Road or Avenue shall be made from the Turnpike Road leading from *Bresley* to *Wenlock* along the private Road of and belonging to the said *Edward Harries*, called *Benthall Rail*, leading from *Harper's Hill* to a House of him the said *Edward Harries*, now in the Possession of *Samuel Barnett*; which said respective Roads or Avenues shall be made, repaired, and kept in Repair, by and out of the Tolls hereby granted, or out of any Money to be borrowed on the Credit thereof, in such Manner as the said Trustees shall, from Time to Time, direct and appoint; so as not to subject the Inhabitants of the respective Parishes of *Benthall* and *Madeley* to the Repair of either of the said Roads or Avenues, or any Part or Parts thereof; any Law, Statute, or Custom to the contrary in anywise notwithstanding.

After May 1, 1776. Property of Benthall Ferry, and Benthall Rail, vested in the Trustees:

In Consideration whereof, Mr. Harries, his Heirs, &c. exempted from Part of the Tolls, &c.

XIX. And whereas the said *Edward Harries* has voluntarily agreed to relinquish his Right and Property to and in the said Ferry called *Benthall Ferry*, and to and in the said private Road called *Benthall Rail*, for the Purposes of this Act, immediately upon the procuring and passing thereof, upon Condition that he the said *Edward Harries*, his Heirs and Assigns, and all and every Person and Persons who shall, from Time to Time, be in the Possession or Occupation of his Estate at *Benthall*, should for ever after be free and exempt of and from the Payment of the Tolls hereby granted, under certain Restrictions and Provisions herein after mentioned; be it therefore enacted, That from and after the first Day of *May*, one thousand seven hundred and seventy-six, the Right, Property, and Interest, of the said *Edward Harries*, his Heirs and Assigns, and of all and every other Person and Persons claiming by, from, or under him and them, and every of them, to and in the said Ferry called *Benthall Ferry*, and to and in the said private Road called *Benthall Rail* aforesaid, shall respectively cease and determine; and the same shall from thenceforth and for ever after be, and is and are hereby respectively declared to be, vested in the said Trustees, their Executors, Administrators, and Assigns, for the several Purposes of this Act; and that for and in Consideration of the Surrender of such respective Right and Property as aforesaid, he the said *Edward Harries*, his Heirs and Assigns, and all and every Person and Persons who shall, from Time to Time, be in the Possession, or who shall rent, hold, or occupy the Estate of the said *Edward Harries* at *Benthall*, or any Part or Parts thereof, and his and their and every of their Agents, Servants, and Workmen, residing thereon, and all Horses or other Beasts, Calves, Hogs, Sheep, and Lambs, to him or them respectively belonging and appertaining, and all Carts and Carriages, Horses or other Beasts going empty or unladen,

or carrying or conveying any Coal, Lime-stone, Iron-stone, Clay Brick, Tile, Potter's-clay, or Goods, and all Mines or Minerals, all Timber, Underwood, Hay, Straw, Corn, Corn in the Straw, or Manure, and whatever else shall arise and grow in or upon the said Estate, or any Part thereof, and all Goods, Wares, and Merchandizes, Matters, and Things whatsoever to be used or consumed on the said Estate, and not elsewhere, shall for ever be free and exempt of and from the Payment of so much and such Part of the Tolls or Duties hereby imposed, as shall be collected at any Gate or Turnpike to be erected by virtue of this Act between the Turnpike Road leading from *Broseley* to *Wenlock* and the River *Severn*; any Thing herein contained to the contrary notwithstanding: But the Exemptions hereby granted or allowed to the said *Edward Harries*, his Heirs and Assigns, as aforesaid, shall not extend, or be construed to extend, to Persons carrying any Goods, Wares, or Merchandize for Hire, (not being the Produce of the said Estate, nor to be used thereon) nor shall any Person or Persons claiming the same be thereby intitled to a free Passage over the said Bridge.

XX. And be it further enacted, That the first Meeting of the Trustees shall be at the House of *John Nicholson* in *Coalbrook Dale* aforesaid, on *Wednesday* the fiftenth Day of *May*, one thousand seven hundred and seventy-six, between the Hours of eleven and one of the Clock; and the Trustees then present shall proceed to the Execution of the Powers hereby given and granted, and shall then, and from Time to Time afterwards, adjourn themselves, and the other Trustees not then present, and meet there or at any other Place as often as it shall be necessary for putting this Act in Execution; of which subsequent Meeting, and of every adjourned Meeting to be held in Pursuance of this Act, the Clerk to the Trustees shall cause publick Notice to be given in Writing, affixed on the Market-house at *Broseley* aforesaid, and on the Turnpikes or Toll-houses to be erected by virtue of this Act, ten Days at the least before the Day appointed for such Meetings respectively; and that two Trustees shall be deemed a sufficient Number for the Purpose of Adjournment only; and when and as often as it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act or to adjourn to another Day, the Clerk to the said Trustees shall adjourn such Meeting, to be held at the same Place upon some Day within the Space of fourteen Days from the Day of such Adjournment; and that the said Trustees shall at all their Meetings defray their own Expences; and that all Orders and Determinations of the said Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance thereof, and by the Majority of the Trustees then present, and not otherwise; nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless seven Trustees shall be present and consenting thereto; and that no Trustee herein named or appointed, or who shall be admitted in pursuance of this Act, shall act or be empowered to do any Act in Execution of the Powers hereby given, but at a Meeting or Meetings to be held under the Directions of this Act (other than and except such of them as shall be in the Commission of the Peace for the County of *Salop.*)

XXI. And to the end that the said Trustees may be enabled to carry on so useful an Undertaking, and to execute the several Purposes of this Act with Effect, be it enacted, That it shall and may be lawful to and for the said Trustees, their Executors, Administrators, and Assigns, to raise and contribute amongst themselves, or by the Admission of other Trustees, in such Proportion as to them shall seem meet and convenient, a competent Sum of Money, not exceeding in the Whole the Sum of five thousand Pounds, and the same to divide into one hundred Shares, or such less Number of Shares as the whole Amount of the Sums advanced and paid will admit, reckoning fifty Pounds to each Share; and no Person herein before appointed, or who shall be admitted a Trustee in pursuance of this Act, shall be qualified to fit or act as such, who shall be a Proprietor of less than one Share, or more than fifteen Shares, either in his own or in the Name or Names of any other Person or Persons, in Trust for him or her, (except the same shall come to him or her by Descent, Bequest, Marriage, or Act of Law) upon Pain of forfeiting to the said Trustees, their Executors, Administrators, and Assigns, all such Shares exceeding fifteen Shares as aforesaid; and the Money so to be raised is hereby directed and appointed to be laid out and applied, in the first Place, for and towards the Payment, Discharge, and Satisfaction of the Costs, Charges, and Expences of applying for, obtaining, and passing this Act; and all the Residue and Remainder of such Money shall be applied for and towards making, completing, and maintaining the said Bridge, and other the Purposes of this Act, and to no other Use, Intent or Purpose whatsoever; and all and every the said Shares shall be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property; and all and every Person and Persons, their several and respective Executors, Administrators, and Assigns, who shall severally advance and pay in the Sum of fifty Pounds, or such Sum or Sums as shall be demanded in lieu thereof, towards executing the several Purposes of this Act, shall be intitled to receive, and shall receive, an entire and nett Distribution of a one-hundredth Part, or such greater Share or Proportion of the Profits arising from the Tolls or Duties hereby granted or received by the Authority of this Act, as the said Sum of fifty Pounds will bear, in Proportion to the whole Amount of the Money advanced and paid on the Credit thereof; and so in Proportion for any Number of Shares, not exceeding fifteen as aforesaid.

XXII. And be it further enacted, That all and every Person and Persons who shall have advanced and paid, or undertaken to advance and pay, for one Share as aforesaid, their Executors, Administrators, and Assigns, shall be deemed a Trustee, and shall be entitled to vote at any Meeting or Meetings to be held in pursuance of this Act, either personally, or by his, her, or their Proxy, duly constituted under his, her, or their Hand and Seal or Hands and Seals, (such Proxy or Proxies being a Trustee or Trustees); and such Vote or Votes by Proxy or Proxies, shall be and are hereby deemed good and sufficient to all Intents and Purposes whatsoever; and such of the said Trustees as shall be possessed of more than one Share, shall have and be entitled to one Vote personally for each Share, not exceeding ten Shares; and that no Trustee or Trustees shall be entitled to vote by his, her, or their Proxy or Proxies for more than five Shares; and whatever Question, Election, Matter, or Thing shall be proposed, discussed, or considered, at any Meeting

First Meeting of Trustees.

Ten Days Notice to be given of Adjourned Meetings.

Trustees at Meetings to defray their own Expences.

Trustees empowered to raise 5000 l.

to be divided into Shares of 50 l. each.

Application of the Money.

Shares to be deemed Personal Estate.

Every Person advancing Money for one Share, deemed a Trustee, &c.

No Trustee to have more than 10 Votes, or 5 Proxies.

ing of the Trustees to be held by virtue of this Act, the same shall be finally determined by the Majority of Votes and Proxies then present.

Tolls to be assigned for Money borrowed.

XXIII. Provided always, and be it further enacted, That the said Trustees assembled at such first Meeting, or any three or more of them, or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of every other subsequent Meeting for borrowing Money, fourteen Days previous Notice shall be given and affixed upon the Market-house at Broseley, and upon the Gates or Turnpikes to be erected in pursuance of this Act) shall, and they are hereby authorized and empowered to execute proper Assignments of the Tolls or Duties hereby granted, or of any Part thereof, (the Costs and Charges of assigning the same to be borne and paid out of such Tolls or Duties) as a Security for any Sum or Sums of Money advanced and paid on the Credit thereof, to such Person or Persons as shall advance and pay the same, under their Hands and Seals, by the following Form of Assignment, or by any other Words to the same Effect.

Form of Assignment.

BY virtue of an Act, made in the sixteenth Year of the Reign of his Majesty King George the Third, for building a Bridge across the River Severn from Benthall, in the County of Salop, to the opposite Shore at Madeley Wood, in the said County; and for making proper Avenues or Roads to and from the same; we whose Names are hereunto set, being three of the Trustees appointed by and in pursuance of the said Act, in Consideration of the Sum of Fifty Pounds [or such Sum as shall be advanced and paid in lieu thereof] to us in Hand paid by A. B. do assign unto the said A. B. his [or her] Executors, Administrators, and Assigns, one entire Share or hundredth Part or Proportion of the Nett Produce of the Tolls or Duties by the said Act granted [or such Part or Share as the said Sum of fifty Pounds shall bear in Proportion to the whole Amount of the Money borrowed on the Credit of such Tolls] to be made in equal Payments on the Day of and the Day of yearly.

Given under our Hands and Seals, the Day of

And all and every Person and Persons to whom such Assignment shall be made, shall be entitled to such Share of the said Tolls or Duties as the respective Sums in such Assignment mentioned to be advanced and paid shall bear in Proportion to the whole Sum borrowed upon the Credit of such Tolls or Duties, in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing and paying the same.

Assignments to be entered in a Book;

XXIV. And be it further enacted, That proper Entries or Memorials shall be made by the Clerk or Treasurer to the said Trustees of all and every Assignment or Assignments, containing the Dates, Names of the Parties, and Sums of Money therein mentioned, in a Book or Books to be, from Time to Time, provided and kept for that purpose, and shall mark the same in this Manner, [Entered N^o. C. D. Clerk to the Trustees]; and after such respective Entries made, the Trustees who shall have signed and executed such Assignments respectively shall also sign their Names to the respective Entries of such Assignments; and all and every Person and Persons to whom such Assignment shall be made, or who shall be entitled to the Money thereby secured, may transfer and assign the same again, and all his, her, or their Right, Title, and Interest therein, to any other Person or Persons whomsoever, by indorsing thereon, before two credible Witnesses, the following Words, or Words to the like Effect:

and may be transferred.

Form of Transfer.

I DO transfer this Assignment, with all my Right, Title, and Interest to and in the same, unto of his [or her] Executors, Administrators, and Assigns. Dated this Day of Witness, G. H. I. K. E. F.

Assignments not to be made void.

Which said Assignment and Transfer shall be produced and notified to the Clerk to the Trustees at some Meeting of the said Trustees, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sums of Money, in the said Book directed to be provided and kept for entering the original Assignments; for which Entry or Memorial the Clerk shall be paid the Sum of One Shilling and no more by the Person or Persons producing the same: and after such Entries made, (but not till then) such Assignment shall entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and every such Assignee may in like Manner assign again, and so toties quoties; and it shall not be in the Power of any Person or Persons who shall have made any such Transfer or Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Trustees not liable to Debts for signing Mortgages, &c.

XXV. Provided always, That nothing herein contained shall extend, or be construed to extend, to charge, subject, or make liable the Real or Personal Estate of any Trustee, or the Executors, Administrators, or Assigns of any Trustee who shall have signed and executed any Assignment or Assignments as aforesaid, or shall have signed any Entries thereof, to the Payment of any Sum or Sums of Money thereby secured, or any Part or Parts thereof.

Writings to be without Stamps.

XXVI. Provided also, and be it enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security or Writing whatsoever, under the Hand and Seal or Hands and Seals of any Trustee or Trustees, Justice or Justices of the Peace, or exhibited before them or any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby vested in such Trustees or Justices respectively, shall be charged or chargeable with any Stamp-duty whatsoever.

XXVII. And

XXVII. And be it further enacted, That the said Trustees shall and may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, and Collector or Collectors of the said Tolls or Duties, and such other Officer or Officers as they shall think necessary, and from Time to Time remove such respective Officers, and appoint others in their Stead, and in the Stead of such of them as shall die or be incapable of performing his or their Duty; and out of the Money arising by virtue of this Act, shall and may make such Allowances to the respective Officers for their Care and Pains, and to such other Persons as shall be assisting in and about the Execution of the several Purposes of this Act, as the said Trustees shall think reasonable; and such Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, Collector or Collectors, or other Officers, and every of them, shall, from Time to Time, at any Meeting of the said Trustees, when thereunto required by the said Trustees, deliver in upon Oath (which Oath any one of the Trustees is hereby empowered to administer) a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he or they, every or any of them, shall to such Time have received, paid, and disbursed, by virtue of this Act, on account of their respective Offices, with proper Vouchers for the Money so paid and disbursed; and in case of any Refusal or Neglect to make and deliver such Account in Manner as aforesaid, or to pay the Money remaining in his or their Hands unto the said Trustees, or to such Person or Persons as they shall authorise and appoint to receive the same, then, and in either of the said Cases, any two or more of his Majesty's Justices of the Peace for the said County of *Salop*, shall make Inquiry of and concerning such Neglect or Refusal in a summary Way, either by the Confession of the Parties themselves, or by the Testimony of one or more credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby empowered and required to administer without Fee or Reward), and upon Conviction shall commit the Person or Persons neglecting or refusing to account, or to make Payment as aforesaid, to the common Gaol of the County of *Salop*, there to remain until he or they shall have made a true and perfect Account and Payment as aforesaid, or shall have compounded for the same, and paid such Composition; which Composition the said Trustees are hereby empowered to make and receive, or authorise to be received.

Trustees may appoint Officers,

and allow them Salaries.

Officers to account, &c. to Trustees;

or, in Default thereof, to be committed,

XXVIII. And be it further enacted, That the said Trustees shall and may, and they are hereby empowered and required, from Time to Time, to take such Security from the Clerks, Treasurers, and other Officers, and Persons by them appointed and employed in the Execution of this Act, for the due and faithful Execution of their several and respective Offices or Employments, as they shall think proper.

Officers to give Security.

XXIX. And be it further enacted, That the Surveyor or Surveyors, or such Person or Persons as he or they shall employ for that Purpose, shall and may, and is and are hereby authorised and empowered, from Time to Time, by Order of the said Trustees, to cut, dig, gather, take, lead and carry away, any Gravel, Heath, Sand, Stones, Ballast, or any other Materials proper and necessary for making and completing the said Bridge, or for repairing and keeping the same in Repair when made, or for making, repairing, and keeping in Repair, any Road or Avenue leading thereto, in, upon, out of, or from any Waste Ground, or out of any River or Brook, in the respective Parishes of *Benthall*, *Brosley*, and *Madley*, aforesaid; and also in, upon, or out of and from the Lands and Grounds of any Person or Persons whatsoever (not being a Yard, Garden, Orchard, Park, Paddock, Lawn, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue of Trees for the Ornament of any House), such Surveyor or Surveyors, or other Person or Persons, filling up the Pits and levelling the Ground from which such Materials shall be taken, and paying or offering to pay to the respective Lord or Lords of the Soil of such Waste Ground, River, or Brook, and to the Owner or Occupiers of such Lands or Grounds, for the Damages they shall and may sustain thereby, such Sum or Sums of Money as shall be agreed upon between the said Owners or Occupiers, and the said Trustees; and in case any Difference or Dispute shall arise concerning the same, such Difference or Dispute shall and may be settled and determined by any two or more Justices of the Peace for the County of *Salop*; and the Sum or Sums so agreed upon or settled shall be paid to the Person or Persons entitled thereto out of the Monies to be raised by virtue of this Act.

Surveyors may take Materials from any Waste Ground, &c.

making Satisfaction for Damages.

In case of Dispute, to be settled by Justices.

XXX. And whereas it may happen that the said Bridge may receive such Damage by unforeseen Accidents; that the Passage thereof may for some Time become dangerous and impracticable; be it therefore enacted, That when and as often as it shall so happen, it shall be lawful for the said Trustees, or such Person or Persons as they shall from Time to Time appoint for that Purpose, to provide a proper and convenient Ferry or Ferries across the said River *Severn*, and as near to the Site of the said Bridge as conveniently may be, and to take for Passage over the said River by such Ferry or Ferries such Tolls as are hereby authorised to be taken for passing over the said Bridge.

A Ferry may be used while the Bridge is dangerous, &c.

XXXI. Provided always, That such Ferry or Ferries shall continue for such Time only as shall be necessary for repairing and rebuilding the said Bridge, and until the Passage over the same shall be made safe and commodious.

Provido.

XXXII. And for preventing any wilful and malicious Damage being done to the said Bridge, or any Part thereof, be it further enacted, That if any Person or Persons shall wilfully or maliciously blow up, pull down, burn, or otherwise damage or destroy, the said Bridge, or any Part thereof, or shall wilfully or maliciously, and without Authority from the said Trustees, remove or take away any of the Materials or Works thereto belonging, or in any-wise cause or procure the same to be done, whereby the said Bridge or the Works thereof may be damaged, or the Lives of Passengers endangered, the Person or Persons offending in either of those Cases (being lawfully convicted thereof) shall be deemed guilty of Felony, and shall be transported as a Felon.

Persons destroying or damaging the Bridge,

deemed guilty of Felony.

XXXIII. Provided always, That the Master or Owner of any Boat, Barge, Lighter, or other Vessel, navigated upon the said River *Severn*, shall be and is hereby declared subject and liable to make Satisfaction for any wilful Damage or Mischief which shall be done to the said Bridge, or any Part thereof, or to any of the Works which shall be erected for building the same, by the Crew who shall navigate or belong to such Boat, Barge, Lighter, or other Vessel; and in case the same shall not be forthwith paid, the Clerk or

Owners of Boats, &c. made answerable for Damage done by the Crew.

Treasurer for the Time being to the said Trustees shall and may, in his own Name, sue for such Damage or Trespass in any of his Majesty's Courts of Record at *Westminster*.

How the Bridge shall be rated.

XXXIV. And be it further enacted, That the said Bridge shall not be rated or assessed to the Payment of any public or parochial Rate or Tax whatsoever at any other or higher Rate or Value than the said Ferry called *Bentball Ferry* stood rated for the Year one thousand seven hundred and seventy-five, nor shall the said Bridge be deemed a County Bridge, so as to subject the County of *Salop* to the Repair or Support of the same.

Commencement of this Act. Penalties and Forfeitures how to be recovered and applied.

XXXV. And be it further enacted, That all the Powers hereby given and granted shall commence and take Effect upon the first Day of *May* one thousand seven hundred and seventy-six; and all Penalties and Forfeitures hereby inflicted, the Manner of levying and recovering whereof is not otherwise by this Act particularly directed, shall, upon Proof of the Offences respectively before any one Justice of the Peace for the said County of *Salop*, either by the Confession of the Offender or Offenders, or by the Knowledge of such Justice, or by the Oath of one or more credible Witness or Witnesses (which Oath such Justice is hereby impowered and required to administer without Fee or Reward) be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant he is hereby impowered and required to grant); and the Overplus (if any be) after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand to the Owner or Owners of such Goods and Chattels; and the Penalties and Forfeitures, when paid or levied, shall, from Time to Time (if not otherwise directed to be applied by this Act), be paid to the said Trustees, or to their Clerk or Treasurer, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice of the Peace, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the common Gaol of the said County of *Salop* for any Time not exceeding three Months, nor less than one Month, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Parties aggrieved may appeal to the Quarter Session; giving ten Days Notice.

XXXVI. Provided always, and be it enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act (and for which no particular Method of Relief is hereby otherwise given), such Person may appeal to the Justices of the Peace at any General Quarter Session of the Peace to be held for the County of *Salop*, within four Calendar Months after the Cause of Complaint shall have arisen (such Appellant first giving, or causing to be given, ten Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said Trustees, and within three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, the said Session); and the Justices at such Session, upon due Proof of such Notice being given, and of the entering into such Recognizance, shall hear and finally determine the Matter of such Appeal in a summary Way, and, if they see Cause, may by their Order mitigate at their Discretion all or any of the said Penalties or Forfeitures, or vacate and set aside any Conviction or Convictions (but not for Want of Form only), or otherwise may ratify and confirm the same, and award such Costs as they shall think proper; and the Determination of the Justices at such Session shall be binding and conclusive to all Intents and Purposes, and shall not be liable to be removed by *Certiorari*, or other Process whatsoever, into any of his Majesty's Courts of Record.

Determination of Justices to be final.

Proceedings to be entered in Books,

XXXVII. And be it further enacted, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose, and the same being signed by any three or more of them, or by their Clerk, shall be deemed and taken to be original Orders; and such Book or Books, and also the Book or Books herein before directed to be kept for entering the Mortgages or Assignments of the Tolls hereby made payable, and Transfers of such Assignments, shall and may be produced and read in Evidence in all Cases of Appeals, and in all Suits or Actions touching or concerning any Thing done in pursuance of this Act.

which may be read in Evidence.

Penalty on obstructing Passengers.

XXXVIII. And be it further enacted, That if any Person or Persons whomsoever shall place or suffer any Carriage whatsoever to stand or remain on the said Bridge, or in any Road or Avenue leading to the same, except for the immediate Taking-up or Delivery of any Goods or Merchandise, or for the Removal of any Filth, Dung, Athes, or Rubbish (sufficient Time being allowed to do the same respectively), or shall in any other Manner wilfully obstruct the Passage over the said Bridge, or the Passage leading to or from the same, every Person so offending shall forfeit and pay for every such Offence the Sum of twenty Shillings.

Treasurer, &c. to give Receipts for all Money received,

XXXIX. And be it further enacted, That the several and respective Clerks, Treasurers, and other Officers, from Time to Time appointed and employed by the said Trustees in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall, and he and they is and are hereby required to give proper Receipts and Vouchers for all and every Sum or Sums of Money which shall from Time to Time be paid to them or either of them respectively, without Fee or Reward; and shall also make Entries of such Receipts and Vouchers in a Book or Books to be provided and kept for that Purpose; and he and they, and every of them respectively, shall and is and are hereby required, out of the Money which shall be paid into his or their Hands in pursuance and for the Purposes of this Act, to answer, satisfy, and pay all and every Sum and Sums of Money which shall be drawn for upon him or them, or either of them, and ordered to be paid, by any three or more of the said Trustees, for, on account, or in respect of any Contract, Work, Matter, or Thing, which shall be entered into, made, done, or performed, by virtue or in pursuance of this Act; and that all and every the Clerks, Treasurers, and other Officers, appointed or employed under the Authority and for the Purposes of this Act, shall be and is and are hereby severally declared to be answerable for any Breach of Trust, Neglect of Duty, or other Misdemeanor, of any Clerk or Substitute, Clerks or Substitutes, by him or them or either of them employed in the Execution of this Act,

and to answer Demands of Trustees.

Officers to be answerable for their Substitutes.

Act, and shall make full Satisfaction to the said Trustees; and in case any such Clerk, Treasurer, or other Officer, shall refuse or neglect to make such Satisfaction for the Space of four Days, he shall be forthwith discharged from his Office, and shall and may be sued for such Satisfaction in such Manner as is herein before directed for the Trespas or other wilful Damage which may be done to the said Bridge by the Crews of Vessels navigated on the said River *Severn*.

XL. And be it further enacted, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, the same shall be commenced within six Months next after the Fact committed, and not afterwards, and shall be laid in the County of *Salop*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to be done, or that such Action or Suit shall brought or commenced after the Time before limited, or shall be laid in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

Public Act.

XLI. 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 specially pleading the same.

C A P. XVIII.

An Act for enlarging the Term of Letters Patent granted by his present Majesty to *Elizabeth Taylor*, of the Town of *Southampton*, Widow, for the sole Use and Exercise of certain Engines, Tools, Instruments, and other Apparatus, for making Blocks, Sheavers, and Pins, used in the Rigging of Ships.

WHEREAS his present Majesty King *George* the Third hath been graciously pleased to grant his Royal Letters Patent, under the Great Seal of *Great Britain*, to *Elizabeth Taylor* Widow, in the Words, or to the Effect following; that is to say,

Preamble.

GEORGE the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c. To all to whom these Presents shall come, greeting: Whereas *Elizabeth Taylor*, of Our Town of *Southampton*, Widow, Relict and Executrix of *Walter Taylor*, late of the same Place, Blockmaker, deceased, has, by her Petition, humbly represented unto Us, that her said late Husband had, by his Ingenuity, Labour, and Industry, and at a great Expence, invented a Set of Engines, Tools, Instruments, and other Apparatus, for the making of Blocks, Sheavers, and Pins, whereby she the Petitioner has been enabled to supply Our Navy with all Kinds of Ship Rigging and Gun Tackle, Blocks, Sheavers, and Pins, in Iron, Brass, and Wood, more certain and efficacious in their Operation than any ever before used, and which will be the Means of a great Saving of the Ships Cordage and Rigging: That the said Blocks were first examined by the Principal Officers of Our Admiralty and Ordnance, in the Year one thousand seven hundred and fifty-nine; and in the Month of July last, a Trial was made between them and the best Blocks before used, in the Presence of the Principal Officers of Our Navy in Our Yard at *Deptford*, on which Trial those made by the Petitioner were found to be greatly superior to all others: That the Commissioners of Our Navy have contracted with the Petitioner for supplying Our Navy with a Quantity of the said Blocks, Sheavers, and Pins, and are desirous of having the whole Navy supplied therewith; but forasmuch as the Petitioner is apprehensive, that by employing a great Number of Workmen under her, the Method of constructing the said Engines, Tools, Instruments, and other Apparatus, and of making the said Blocks, will be discovered, whereby she may be deprived of the Benefit of the said Invention, and hath therefore most humbly prayed Us to grant unto her, her Executors, Administrators, and Assigns, Our Royal Letters Patent, under the Great Seal of *Great Britain*, for the sole making and using the said Engines, Tools, Instruments, and other Apparatus, so first invented by her said late Husband, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*, for the Term of fourteen Years, according to the Statute in that Case made and provided, in order thereby to secure to the said Petitioner, her Executors, Administrators, and Assigns, the full Benefit and Advantage of the said Invention: We, taking the Premises into Our Royal Consideration, and being willing to give Encouragement to all Arts and Inventions which may be for the Public Good, are graciously pleased to condescend to the Petitioner's said Request: Know ye therefore, that We, of Our especial Grace, certain Knowledge, and mere Motion, have given and granted, and by these Presents, for Us, Our Heirs, and Successors, do give and grant unto the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, Our especial Licence, full Power, sole Privilege, and Authority, that she the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, and every of them, by herself and themselves, or by her and their Deputy or Deputies, Servants or Agents, or such others as she the said *Elizabeth Taylor*, her Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time, and at all Times hereafter during the Term of Years herein expressed, shall and lawfully may make, use, exercise, and vend her said Husband's Invention, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*,

His Majesty's Royal Letters Patent to Elizabeth Taylor of Southampton, Widow.

“ *Tweed*, in such Manner as to her the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns,
 “ or any of them, shall in their Discretions seem meet; and that she the said *Elizabeth Taylor*, her Exe-
 “ cutors, Administrators, and Assigns, shall and lawfully may have and enjoy the whole Profit, Benefit,
 “ Commodity, and Advantage, from Time to Time coming, growing, accruing, and arising, by reason
 “ of the said Invention, for and during the Term of Years herein mentioned; to have, hold, exercise,
 “ and enjoy, the said Licence, Powers, Privileges, and Advantages, herein before granted or mentioned
 “ to be granted unto the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, for and during,
 “ and unto the full End and Term of fourteen Years from the Date of these Presents next and immediately
 “ ensuing, and fully to be compleat and ended, according to the Statute in such Case made and provided:
 “ And to the End that she the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, and
 “ every of them, may have and enjoy the full Benefit, and the sole Use and Exercise of the said Invention
 “ according to Our gracious Intention herein before declared, We do by these Presents, for Us, Our
 “ Heirs, and Successors, require and strictly command all and every Person and Persons, Bodies Politic
 “ and Corporate, and all other Our Subjects whatsoever, of what Estate, Quality, Degree, Name, or
 “ Condition soever they be, within that said Part of Our said Kingdom of *Great Britain* called *England*,
 “ Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforesaid, that neither they, nor any of
 “ them, at any Time during the Continuance of the said Term of fourteen Years hereby granted, either
 “ directly or indirectly, do make, use, or put in Practice the said Invention, or any Part of the same, so
 “ attained unto by the said *Walter Taylor* as aforesaid, nor in any-wise counterfeit, imitate, or resemble
 “ the same; nor shall make, or cause to be made, any Addition thereunto or Subtraction from the same,
 “ whereby to pretend himself or themselves the Inventor or Inventors, Devisor or Divisors thereof, with-
 “ out the Licence, Consent, or Agreement of the said *Elizabeth Taylor*, her Executors, Administrators,
 “ or Assigns, in Writing under her or their Hands and Seals first had and obtained in that Behalf, upon
 “ such Pains and Penalties as can or may be justly inflicted on such Offenders for their Contempt of this
 “ Our Royal Command; and further to be answerable to the said *Elizabeth Taylor*, her Executors, Ad-
 “ ministrators, and Assigns, according to Law, for her and their Damages thereby occasioned: And more-
 “ over, We do by these Presents, for Us, Our Heirs, and Successors, will and command all and singular the
 “ Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and all other Officers and
 “ Ministers whatsoever of Us, Our Heirs, and Successors, for the Time being, that they, or any of
 “ them, do not, nor shall at any Time hereafter, during the said Term hereby granted, in any-wise
 “ molest, trouble, or hinder the said *Elizabeth Taylor*, her Executors, Administrators, or Assigns, or any
 “ of them, or her or their Deputies, Servants, or Agents, in or about the due and lawful Use or Exercise
 “ of the aforesaid Invention, or any Thing relating thereto: Provided always, and these Our Letters
 “ Patent are and shall be upon this Condition, That if at any Time during the said Term hereby granted,
 “ it shall be made appear to Us, Our Heirs, or Successors, or any six or more of Our or Their Privy
 “ Council, that this Our Grant is contrary to Law, or prejudicial or inconvenient to Our Subjects in
 “ general, or that the said Invention is not a new Invention as to the public Use and Exercise thereof in
 “ that said Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town
 “ of *Berwick upon Tweed* aforesaid, or not invented and found out by the said *Walter Taylor* as aforesaid,
 “ then, upon Signification or Declaration thereof to be made by Us, Our Heirs, or Successors, under
 “ Our or Their Signet or Privy Seal, or by the Lords and others of Our or Their Privy Council, or any
 “ six or more of them, under their Hands, these Our Letters Patent shall forthwith cease, determine, and
 “ be utterly void to all Intents and Purposes; any Thing herein before contained to the contrary thereof
 “ in any-wise notwithstanding: Provided also, that these Our Letters Patent, or any Thing herein con-
 “ tained, shall not extend, or be construed to extend, to give Privilege unto the said *Elizabeth Taylor*, her
 “ Executors, Administrators, or Assigns, or any of them, to use or imitate any Invention or Work what-
 “ soever, which hath been heretofore found out or invented by any other of Our Subjects whatsoever,
 “ and publicly used or exercised in that said Part of Our Kingdom of *Great Britain* called *England*, Our
 “ Dominion of *Wales*, or Town of *Berwick upon Tweed* aforesaid, unto whom like Letters Patent or Privi-
 “ leges have been already granted for the sole Use, Exercise, and Benefit thereof; it being Our Will
 “ and Pleasure that the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, and all and
 “ every other Person and Persons to whom like Letters Patent or Privileges have been already granted as
 “ aforesaid, shall distinctly use and practise their several Inventions by them invented and found out, ac-
 “ cording to the true Intent and Meaning of the same respective Letters Patent, and of these Presents:
 “ Provided likewise nevertheless, and these Our Letters Patent are upon this express Condition, That if
 “ the said *Elizabeth Taylor*, her Executors or Administrators, or any Person or Persons which shall or may
 “ at any Time or Times hereafter, during the Continuance of this Grant, have or claim any Right,
 “ Title, or Interest in Law or Equity, of, in, or to the Power, Privilege, and Authority of the sole Use
 “ and Benefit of the said Invention hereby granted, shall make any Transfer or Assignment, or any pre-
 “ tended Transfer or Assignment, of the said Liberty and Privilege, or any Share or Shares of the Benefit
 “ or Profit thereof, or shall declare any Trust thereof to or for any Number of Persons exceeding the
 “ Number of five; or shall open, or cause to be opened, any Book or Books for public Subscriptions to
 “ be made by any Number of Persons exceeding the Number of five, in order to the raising any Sum or
 “ Sums of Money, under Pretence of carrying on the said Liberty or Privilege hereby granted; or shall
 “ by her or themselves, or her or their Agents or Servants, receive any Sum or Sums of Money what-
 “ soever, of any Number of Persons exceeding in the Whole the Number of five, for such or the like
 “ Intents or Purposes; or shall presume to act as a Corporate Body, or shall divide the Benefit of these
 “ Our Letters Patent, or the Liberty and Privileges hereby by Us granted, into any Number of Shares
 “ exceeding the Number of five; or shall commit or do, or procure to be committed or done, any Act,
 “ Matter, or Thing whatsoever, during such Time as such Person or Persons shall have any Right or
 “ Title,

“ Title, either in Law or Equity, in or to the said Premises, which will be contrary to the true Intent and Meaning of a certain Act of Parliament made in the sixth Year of the Reign of Our late Royal Great Grandfather, King George the First, intituled, *An Act for the better securing certain Powers and Privileges intended to be granted by his Majesty, by two Charters, for Assurance of Ships and Merchandises at Sea, and for lending Money upon Bottomry, and for restraining several extravagant and unwarrantable Practices therein mentioned*; or in case the said Power, Privilege, or Authority, shall at any Time hereafter become vested in, or in Trust for, more than the Number of five Persons or their Representatives at any one Time (reckoning Executors or Administrators as and for the single Person whom they represent, as to such Interest as they are or shall be entitled to in Right of such their Testator or Intestate), that then, and in any of the said Cases, these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void; any Thing herein before contained to the contrary thereof in any-wise notwithstanding: Provided also, that if the said *Elizabeth Taylor* shall not particularly describe and ascertain the Nature of her said Husband's Invention, and in what Manner the same is to be performed, by an Instrument in Writing under her Hand and Seal, and cause the same to be inrolled in Our High Court of Chancery, within four Calendar Months next and immediately after the Date of these Our Letters Patent, that then these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void; any Thing herein before contained to the contrary thereof in any-wise notwithstanding: And lastly, We do by these Presents, for Us, Our Heirs, and Successors, grant unto the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, that these Our Letters Patent, or the Inrolment or Exemplification thereof, shall be, in and by all Things, good, firm, valid, sufficient, and effectual in the Law, according to the true Intent and Meaning thereof, and shall be taken, construed, and adjudged in the most favourable and beneficial Sense for the best Advantage of the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns, as well in all Our Courts of Record as elsewhere, and by all and singular the Officers and Ministers whatsoever of Us, Our Heirs, and Successors, in that Part of Our said Kingdom of Great Britain called England, Our Dominion of Wales, and Town of Berwick upon Tweed aforesaid, and amongst all and every the Subjects of Us, Our Heirs, and Successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the Nature or Quality of the said Invention, or of the Materials thereto conducing or belonging. In Witness whereof, We have caused these Our Letters to be made patent. Witness Ourself at Westminster, the sixth Day of December, in the third Year of Our Reign.”

“ And whereas the said *Elizabeth Taylor* hath, by an Instrument in Writing under her Hand and Seal, described and ascertained the Nature of the said Invention, and the Manner in which the same is to be performed, and hath caused the same to be inrolled in his Majesty's High Court of Chancery, within the Time and in the Manner directed by the said Letters Patent: And whereas, by a Deed of Assignment bearing Date the first Day of February, in the Year of our Lord one thousand seven hundred and seventy-five, the said *Elizabeth Taylor* (for the Considerations therein mentioned) hath assigned all her Interest, Benefit, and Property, in the said Letters Patent and Invention, unto her Son *Walter Taylor* of the said Town of Southampton, his Executors, Administrators, and Assigns: And whereas the said *Walter Taylor* deceased was at very large Expence, Labour, and Pains, in finding out and prosecuting the said Invention; and the said *Elizabeth Taylor* his Widow, and *Walter Taylor* their Son, have been at great Pains and Labour, and at a large Expence, in improving the same; and considerable Improvements have been made therein by the said *Walter Taylor* the Son; for all which Trouble and Expence the said *Walter Taylor* will not be able to receive an adequate Compensation, unless the Term granted by the said Letters Patent be prolonged: May it therefore please your Majesty (at the humble Petition of the said *Walter Taylor*) that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Powers, Liberties, Privileges, Authorities, Rights, Benefits, and Advantages, which, in and by the said Letters Patent, were originally given and granted to her the said *Elizabeth Taylor*, her Executors, Administrators, and Assigns (and no further or greater than she, or the said *Walter Taylor*, would have been entitled to if this Act had not been made), shall be, and the same are hereby given and granted to the said *Walter Taylor*, his Executors, Administrators, and Assigns, and shall be held, exercised, and enjoyed by him the said *Walter Taylor*, his Executors, Administrators, and Assigns, for and during the present Term of fourteen Years granted by the said Letters Patent, and, from and after the End and Expiration of the said Term of fourteen Years thereby granted, for and during the further or additional Term of fourteen Years, in as full, ample, and beneficial Manner in all Respects, and to all Intents and Purposes whatsoever, as he the said *Walter Taylor*, his Executors, Administrators, or Assigns, could have held and enjoyed the same, under and by virtue of the said Letters Patent for the Term thereby granted, in case the said Letters Patent had been originally granted by his Majesty to him the said *Walter Taylor*, his Executors, Administrators, and Assigns

“ II. And whereas the said *Walter Taylor* having made several considerable Improvements in the said new Invention, the Public may lose the Advantage thereof, unless the same shall be specified by an Instrument in Writing, and inrolled in the High Court of Chancery, be it therefore further enacted by the Authority aforesaid, That if the said *Walter Taylor* shall not particularly describe and ascertain the Nature of the said Invention, with his Improvements thereon, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and cause the same to be inrolled in the High Court of Chancery within four Calendar Months after the passing of this Act, then this Act shall cease, determine, and be absolutely void; any Thing herein before contained to the contrary notwithstanding.

“ All the Powers, Privileges, &c. contained in the before-recited Letters Patent, by this Act granted to *Walter Taylor*, his Executors, &c. for a further Term of 14 Years.

Specification of Improvements to be inrolled in the Court of Chancery within four Months, otherwise this Act to be void.

“ III. And

Walter Taylor
to grant Li-
cences, &c. on
certain Condi-
tions.

Public Act.

‘ III. And whereas sundry Persons licensed by the said *Walter Taylor* are now under Contract to supply his Majesty’s Navy and Ordnance with such Blocks, Sheavers, and Pins, paying for such Licence certain Rates for every hundred Pounds for which such Wares shall be sold, in consideration of his inspecting the Engines, Tools, and Instruments used therein, and ordering and directing the Repairs thereof: And whereas the said Commissioners of his Majesty’s Navy, or the Principal Officers of the Ordnance, may from Time to Time hereafter think proper to contract with the same or other Persons for the Supply of his Majesty’s Navy or Ordnance with the said Articles,’ be it further enacted, That it shall not be lawful for him the said *Walter Taylor*, his Executors, Administrators, or Assigns, to refuse such Licence as may be required from him or them, to any Person or Persons for whom the same shall be demanded or required by the said Commissioners of his Majesty’s Navy, or by the principal Officers of Ordnance for the Supply of his Majesty’s Navy or Ordnance, or to demand or take any further Profit or Advantage on granting such Licence, beyond the Rate of three Pounds for every one hundred Pounds for which such Blocks, Sheavers, or Pins, shall be sold, in pursuance of such Contract.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, 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 specially pleading the same.

C A P. XIX.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March* one thousand seven hundred and seventy-six.

C A P. XX.

An Act for the better Supply of Mariners and Seamen to serve in his Majesty’s Ships of War, and on board Merchant Ships, and other Trading Ships and Vessels.

‘ FOR the better Supply of Mariners and Seamen to serve in his Majesty’s Ships of War, and on board Merchant Ships and other Trading Ships and Vessels;’ 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, until the twenty-fifth Day of *March* one thousand seven hundred and seventy-seven, and no longer (except in respect to such Merchant Ships, and other Trading Ships or Vessels, which shall be on their Voyage before the said twenty-fifth Day of *March* one thousand seven hundred and seventy-seven, who shall be and are hereby allowed the Liberty and Benefit of returning home navigated in the Manner as herein after is provided), it shall and may be lawful for any Merchant Ship or other Trading Ship or Vessel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majesty’s natural or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed Three-fourths of the Mariners at any one Time employed to navigate such Merchant Ship or other Trading Ship or Vessel; and that One-fourth at least of the Mariners or Seamen so employed be, at all Times, Natives or his Majesty’s naturalized Subjects of *Great Britain* (sudden Death, and Hazard and Casualties of War, and the Seas, saved and excepted); one Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *Charles the Second* (intituled, *An Act for the encouraging and increasing of Shipping and Navigation*), or any other Statute or Law to the contrary notwithstanding.

II. Provided always, That nothing in this Act contained shall extend to take away or restrain the Effect of any such Royal Proclamation as his Majesty, his Heirs and Successors, are impowered to make by virtue of an Act passed in the thirteenth Year of his late Majesty’s Reign (intituled, *An Act for the better Supply of Mariners and Seamen to serve in his Majesty’s Ships of War, and on board Merchant Ships, and other Trading Ships and Privateers*).

C A P. XXI.

An Act to amend an Act, passed in the third Year of his late Majesty’s Reign, intituled, *An Act for making navigable the River Stroud-water, in the County of Gloucester, from the River Severn, at or near Framiload, to Wallbridge, near the Town of Stroud, in the same County; and for giving other Powers, for the Purpose of making a Navigation from Framiload to Wallbridge aforesaid.*

‘ Act 3 *Geo. II.* for making navigable the *River Stroud-water*, recited. Act 32 *Geo. II.* for amending, &c. the former Act; whereby other Persons were impowered to make the said Navigation within a limited Time, or to forfeit all Engines, Machines, &c. Article of Subscription entered into by the present Undertakers, Dec. 8, 1774, recited. Commissioners under the former Act appointed new Undertakers, to make the Navigation, &c. who have begun the same. Undertakers for completing the Navigation appointed, and incorporated. Their Name and Powers. The Manner in which the Navigation shall be made. Company of Proprietors may open Drains, &c. for carrying off waste Water. Trenches not to be made through Dwelling-houses, Gardens, &c. Company to make Arches, &c. to drain the adjoining Lands, and keep them in good Repair. Company to separate the Towing-paths from adjoining Lands, &c. In case Company neglect to erect Gates, Bridges, &c. on Side of Towing-path, Occupiers of adjacent Lands may do it, at the Expence of the Company. Penalty if the Company make Default in Payment. In case the Bridges, &c. provided by Direction of the Commissioners, are insufficient, the Land Owners may provide more at their own Expence, so as the Navigation be not obstructed.

From the passing
of this Act till
March 25, 1777,
Merchant Ships,
&c. may be na-
vigated with
3-4ths Foreign-
ers.

This Act not to
restrain his Ma-
jesty’s Royal
Proclamation,
&c.

" obstructed. Powers of Act 3 Geo. II. to be in Force, except such as are by this Act repealed. Tolls
 " to be exempted from Taxes. Company empowered to supply the Cuts and Canals with Water, and to
 " make Dams, &c. during the Repairs of Mills, &c. Company empowered to scour the Canal. Proviso,
 " relating to Mr. Cambridge's Mill-pond. Millers to draw up or let down Cloughs or Floodgates when
 " necessary, on Penalty of 20*l.* Millers to be paid for the same. Company to provide Watering-places
 " for Cattle. Lands may be entered upon to take Surveys, &c. Two Parts to be made of a Plan and
 " Book of Reference, and certified by the Speaker of the House of Commons; which shall be deemed
 " good Evidence. Cuts and Canals to be made pursuant to the Plan. Land Owners being omitted in the
 " Book of Reference, not to obstruct the making the Canals, &c. Breadth of the Canal and Towing-
 " paths limited. Small Parcels of Land, not used for the Canals, to be purchased by the Company, if
 " Proprietors require it. The River not to be made navigable, except as authorised by this Act. The
 " Turnpike Road not to be turned. Bodies Politic, &c. empowered to sell Lands; and, with Consent
 " of the Commissioners, may exchange Lands. Contracts to be inrolled; Copies whereof allowed to be
 " good Evidence. Copyhold Rights to be preserved. Commissioners appointed to settle Differences be-
 " tween the Company and Owners of Lands. If Parties dissatisfied, a Jury to be impannelled. Value
 " of Lands, and Damages, to be separately ascertained. By whom the Expences of the Commissioners
 " and Jury, in ascertaining Damages, &c. shall be borne. Persons requesting a Jury to enter into Bond
 " to prosecute, &c. Notice of Injury to be given to the Proprietors, before Complaint made thereof to
 " the Commissioners. Purchase-money due to Corporations and Trustees to be laid out to the same Uses,
 " &c. Monies, until Purchases made, to be placed in the Public Funds, &c. Commissioners to settle
 " the Proportion of Money to be paid to the several Persons interested. In Default of Payment of Damages,
 " Rates to be liable; or Parties may recover at Law. Annual Rents how recoverable. In case Damages
 " are not paid in four Months, they may be recovered from the Estate of the Company. Penalty on Per-
 " sons obstructing the Works. The Undertaking, &c. to be divided into 200 Shares, and vested in the
 " Company, in due Proportion. No Person to have more than fifteen Shares. Application of the Money
 " remaining to be raised. Each 100*l.* Subscription to be intitled to a Share in the Navigation. Every
 " Person who shall subscribe one Share, shall be deemed a Proprietor, and have a Vote, to be given by
 " himself or by Proxy. Manner of voting specified. All Matters to be determined by Majority of Votes
 " and Proxies. Company empowered to raise 10,000*l.* more, in case the 20,000*l.* shall be insufficient.
 " Manner of raising it. Navigation may be assigned over as a Security for Money borrowed. Form of
 " Assignment. No Preference to be given by reason of Priority of Assignment. Entries of all Assign-
 " ments to be made in Books. Assignments may be transferred. Form of such Transfer. Transfers to
 " be produced to the Clerk, who shall enter them in a Book. Interest to be paid half-yearly before any
 " Dividends are made. First General Meeting. A Committee to be chosen. Treasurer and Clerk to
 " be appointed. Committee to be chosen annually. Their Proceedings to be entered in a Book. No
 " Member of the Committee (except the Chairman) to have more than one vote. Committee to make
 " Reports of their Proceedings, &c. Committee empowered to make Calls for Money from the Pro-
 " prietors, &c. All Money to be paid into the Hands of the Treasurer; to be applied by the Committee,
 " &c. Notice of the Calls to be advertised, &c. Persons not paying the Calls pursuant to Notice, &c.
 " to forfeit all Shares and Interests in the Navigation. Forfeitures to be declared at a General Assembly,
 " &c. General Assembly of Proprietors may remove Committee-men, &c. and make Bye-laws, &c.
 " Executors, &c. of Owners of Shares indemnified for paying Money when called for. If Owners die
 " without Assents, &c. Proprietors may admit others in their Stead, upon Payment to Executors, &c. the
 " Sums advanced by such Owners. If Calls not answered, how Proprietors are to proceed. How Tickets
 " or Titles to Shares are to be made out and signed. Shares negotiable, how to be entered and paid, &c.
 " Purchasers of Shares not intitled to vote, till after six Months Possession. No Person shall sell, after
 " any Call of Monies made, until the said Call is paid. Form of Transfer of a Share. No Business to
 " be done in a Committee, unless five be present. Clerk and Treasurer to account to the Committee.
 " Two General Meetings yearly; all Accounts then to be passed and settled. How a Vacancy in the
 " Committee to be supplied. Masters of Vessels to give Account of their Cargoes, &c. Penalty on De-
 " fault thereof. Names of Owners and Steersmen to be placed on the Outfides of Vessels, on Penalty of
 " 5*l.* What shall be deemed a Ton of Timber, &c. In case of Difference between the Collectors and
 " Masters of Vessels concerning Weight and Quantity, Vessels to be detained, &c. Further Allowance
 " to be paid for Goods lying upon a Wharf above 24 Hours. Vessels under 20 Tons not to pass Locks
 " (except as excepted) without the Consent of Proprietors. Penalty on placing any Boat, &c. in the
 " Canals so as to obstruct the Navigation. Vessels sunk to be weighed, and detained for Expence. In
 " case of Non-payment, Company may sell the same. Penalty on Persons floating Timber on the Canal,
 " or overloading Vessels, &c. Penalty of 5*l.* for throwing Ballast, &c. into the Navigation. Boatmen
 " shall not suffer Water to remain in the Lock longer than necessary. Regulations for passing the Locks.
 " Penalty of 40*s.* for each Offence. Penalty on Persons wilfully drawing down the Water, &c. In case
 " the Company omit for fifteen Years to make the Canals, the same not to be done without Consent of
 " Land Owners, &c. On what Conditions Land shall be reconveyed. If Commissioners cannot settle
 " the Price, a Jury to be impannelled. Power to elect new Commissioners. Justices, in certain Cases,
 " empowered to appoint Commissioners. Qualifications of Commissioners. Any Person acting, not duly
 " qualified, to forfeit 50*l.* No Meeting to be had without ten Days Notice in some Gloucestershire News-
 " paper. Commissioners may act as Justices. Commissioners not to hold any Place of Profit, &c.
 " Meetings may be summoned at any Time by seven Commissioners. Writings to be without Stamps.
 " Proceedings not to be quashed for want of Form. Penalties and Forfeitures how to be recovered and
 " applied. Punishments for giving false Evidence. Distress not unlawful for want of Form. Persons
 " aggrieved may appeal to the Quarter-Sessions, whose Determination shall be final."

C A P. XXII.

An Act for rebuilding the Parish Church of *Tardebigg*, in the Counties of *Worcester* and *Warwick*.

“ WHEREAS the Parish Church of *Tardebigg*, in the Counties of *Worcester* and *Warwick*, is a very ancient Fabric, and Part thereof hath lately fallen down, and the other Part is in so ruinous a Condition that it is dangerous for the Inhabitants of the said Parish to attend Divine Service therein, and, in the Opinion of able and experienced Workmen, cannot be effectually repaired; and that, for the Safety and Conveniency of the Inhabitants, it is necessary the same should be taken down and rebuilt; it is enacted, &c.

“ Trustees impowered to take down and rebuild the Church. Money to be raised vested in the Trustees. Penalty on Persons refusing to pay the Rates. Trustees to appoint three Collectors of the Rates. Collectors to pay the Money as the Trustees shall direct, and to enter in Books Accounts of all Money by them received, &c. Penalty on Collectors refusing or neglecting to account, &c. Any Person chosen a Collector and refusing to act, to forfeit 10*l.* Trustees impowered to borrow 1100*l.* at 5 per Cent. or by way of Annuities, &c. Money lent, &c. to be repaid within twenty Years. A Book to be provided for entering Accounts of Money borrowed, &c. and Proceedings of Trustees. Payment of the Monies to be borrowed, &c. charged upon the Rates. Annuities, &c. not liable to be taxed. Trustees to give Receipts to Persons advancing Money. Upon Payment of the whole Money to be advanced, Trustees to give Orders in Writing for Repayment. Lenders, &c. impowered to assign their Interest in the Money advanced. Trustees may make an Assessment, not exceeding 1*s.* 6*d.* in the Pound. Tenants to pay the whole Rates, and deduct one Half out of their Rents. How Rates are to be levied upon Houses occupied by Inmates. Where Tenant is incapable of paying the Rates, Landlord to be accountable. Rates vested in Creditors, in case of Non-payment of Principal, Interest, or Annuities. Trustees to settle Differences respecting the Rates. Payment of Rates not to intitle Persons to be Parishioners, &c. Collectors may inspect the Poor's Rates. Overseers, on Refusal, to forfeit 10*l.* Trustees, when their Number is reduced to Twenty, may appoint new ones. After Repayment of Money borrowed, &c. the Rates to cease. Trustees impowered to sell the Materials of the old Church. Trustees to give Notice of their Meetings,” &c.

C A P. XXIII.

An Act for the better Regulation and Government of the Pilots conducting Ships and Vessels into and out of the Port of *Boston*, in the County of *Lincoln*; and for affixing and setting down Mooring-posts upon the Banks or High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour; and for preventing Mischiefs by Fire in the said Haven and Harbour.

Preamble.

Letters Patent granted to the Corporation by Queen Elizabeth, recited.

“ WHEREAS the Borough of *Boston*, in the County of *Lincoln*, is a very ancient Borough, within the Liberties whereof there are a Port, Haven, and Harbour of the Sea, for importing and exporting Merchandise; and the Mayor and Burgeses of the said Borough have, as well by Prescription as Royal Charter, been a Corporation for two hundred Years last past and upwards; and by virtue and in pursuance of certain Letters Patent, granted them by Queen *Elizabeth*, bearing Date on or about the tenth Day of *February* in the fifteenth Year of her Reign, have and do now use and exercise Admiralty Jurisdiction within the said Borough and Port of the same; and also the Roads, and all and singular the Deeps, commonly called *The Norman Deeps*; and also all and all Manner of Places and Parts and Water-courses, and the Streams of the Washes near and in the Parts of *Holland*, extending to the Haven or Place called *Wainfleet Haven*, and to a certain Place called *Pullye Heads*, and to another Place or Sand called *The Knock*, and to another Place called *The Dog's Head in the Pct.*, and to the uttermost Limits of the Flowing and Ebbing of the Waters aforesaid and every of them, and adjoining to the Sea and Floods and Streams of the Borders and Confines of the County of *Norfolk*; and by virtue of the same Letters Patent, and others since granted to them by the Crown, and by long Usage have erected and put down proper Buoys and Beacons in the Channel of the said Port: And whereas the Entrance into the said Port is, by the continual Shifting and Alteration of the Sands, become very dangerous without the Assistance of a skilful Pilot, and many Ships have of late Years been endangered, owing to the Negligence and Ignorance of the Persons who take upon them to conduct Ships and Vessels into and out of the said Port; and the Prices or Rates of Pilotage there are not at present settled by any Law or Charter: And whereas a proper Regulation of the Pilots at the said Port, and the ascertaining of their Rates or Prices, would tend greatly to promote and encourage Trade and Navigation, and be of public Utility: And whereas much Danger and Mischief may happen to Ships and Trading Vessels lying in the said Haven and Harbour, occasioned by Fire made use of in heating of Pitch, Tar, Rosin, Oil, or other combustible Matters, on board such Ships and Vessels: And whereas Mooring-posts, to be affixed and set down in proper Places upon the Banks or High Marshes within or adjoining to the said Haven and Harbour, for the more effectually securing the Ships and Vessels riding therein, and also Bridges of Wood to be affixed and laid down over several of the Creeks within or adjoining to the said Haven and Harbour, for the Convenience of towing or haling of Ships and Vessels into and out of the said Port, are much wanted,

and would be of great public Utility; but whereas the said Inconveniencies cannot be removed, nor any of the good Purposes proposed be attained or carried into Execution, without the 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 Mayor, Recorder, Deputy Recorder, Aldermen, Town Clerk, and Common Council of the Borough of *Boston* aforesaid for the Time being; together with *William Armstrong, John Ambler, Robert Barlow, Thomas Brotherton, Edward Bottrill, Samuel Barnard, John Colby, John Cheyney the younger, Bartholomew Claypo, Daniel Douglas, John Darwin, Nicholas Foggon, William Garfit, William Garfit the younger, Matthew Graham, Henry Hare Hart, John Hill, Robert Hallet, Henry Hambleton, William Jackson, John Jackson, Robert Lancaster, Stephen Long, Thomas Lumley, James Meaburn, William Munckman, Chapman Mountain, Joseph Mountain, William Moore, William Parker, Thomas Pilgrim, George Palmer, John Palmer, William Squire, Abraham Sheath the younger, Francis Thirkill, Tristram Twell, Jeffery Tysdale, Cotton Thompson, William Thomson, John Taylor, William Taylor, Richard Willerton, George Wrightson, and Thomas Ferburgh*, shall be, and they are hereby nominated, constituted, and appointed Commissioners for carrying this present Act into Execution, and for the Purposes herein after mentioned and expressed; and they, or any five or more of them, (whereof the Mayor of the said Borough of *Boston* for the Time being, or a Deputy, whom the said Mayor is hereby authorised from Time to Time to appoint, by any Writing under his Hand for that Purpose, shall be one) shall and may, and they are hereby authorised and required, within the Space of Six Weeks from and after the passing of this Act, or as soon after as conveniently may be, to meet in the Guildhall within the said Borough, upon public Notice to be given by the said Mayor for the Time being of the Day and Hour of such Meeting, by Writing affixed on the Custom-house, Guildhall, and Market-cross, within the said Borough of *Boston*, at least seven Days before such Meeting; and then, and from Time to Time, when and as often as any Meeting shall be held in pursuance of this Act, to adjourn themselves, if they shall see Occasion, to any Time and Place within the said Borough, or otherwise, in case no Adjournment shall be then or from Time to Time made or subsisting, or there shall be Occasion to meet previous to the Day of such Adjournment, to meet from Time to Time at such Day, Hour, and Place, within the said Borough, as shall be appointed by public Notice to be given as aforesaid Two Days before every such Meeting, by Five or more of the said Commissioners (whereof the said Mayor for the Time being, or his Deputy to be appointed as aforesaid, shall be one).

Commissioners appointed.

First Meeting.

II. And be it further enacted, That a General Meeting of the said Commissioners shall be held on the First Monday in the Month of *February* in every Year, in the Guildhall in the said Borough, for passing and settling all Accounts of their Treasurer, Collector, or other Officers: And if at any Meeting the Commissioners present shall be equally divided upon any Question which may come before them, then the Mayor of the said Borough for the Time being, if present, or in his Absence his Deputy as aforesaid, shall have the casting Vote: And that all Orders, Determinations, and Proceedings, of the said Commissioners in the Execution of this Act, shall be at Meetings held in pursuance of this Act, and not otherwise; and that such of the said Commissioners as are Justices of the Peace in and for the said Borough, may act as such notwithstanding their being Commissioners; and that the said Commissioners, at all such their Meetings, shall defray their own Expences.

General Meeting to be held annually.
Mayor to have the casting Vote.Commissioners to defray their own Expences.
How to proceed if Mayor neglect his Duty.

III. Provided always, and be it enacted, That in case the Mayor of the said Borough for the Time being, or his Deputy as aforesaid, shall at any Time or Times neglect or refuse to give Notice of any Meeting to be held for executing this Act as herein mentioned, being thereunto required by any twelve or more of the said Commissioners, by Writing under their Hands, it shall and may be lawful for any five or more of the said Commissioners to give Notice of such Meeting, and to meet without the said Mayor or his Deputy as aforesaid for the Time being: And at every Meeting to be held in pursuance of this Act, where the Mayor of the said Borough for the Time being, or his Deputy as aforesaid, shall neglect or refuse to attend, then, and in every such Case, the Commissioner who at such Meeting shall, by the Majority of the Commissioners then present, be elected Chairman at such Meeting, shall in all Things have such Power and Authority at the same Meeting, as the Mayor of the said Borough for the Time being, or his Deputy as aforesaid, would have had, if present; and all Orders and Proceedings at such Meetings shall be as valid and effectual, as if the said Mayor for the Time being, or his Deputy as aforesaid, had been present.

IV. And be it further enacted, That as often as any of the said Commissioners for the Time being, not being the Mayor, Recorder, or Deputy Recorder, an Alderman, Town Clerk, or a Common Councilman of the said Borough, shall die or refuse to act (such Refusal to be certified in Writing), or be chosen a Member of the said Corporation, or accept of any Office of Profit under this Act, or reside out of the said Borough for the Space of Six Calendar Months, then, and in any of the said Cases, and not otherwise, it shall and may be lawful to and for the surviving or remaining Commissioners for the Time being by this Act appointed, or to be appointed in pursuance thereof, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) from Time to Time at any of their Meetings to elect (by Appointment or Order entered in the Minute-book wherein they enter their Orders and Proceedings) such other Person, being a Merchant, Owner, Commander of a Ship or Vessel trading to and from the said Port, or an Inhabitant of the said Borough, to be a Commissioner in the Place of each Commissioner so dying or refusing to act, or being chosen a Member of the said Corporation, or accepting of any Office of Profit under this Act, or residing out of the said Borough as aforesaid, as they shall think fit; and each and every such Commissioner so from Time to Time elected and appointed shall, from and after such Election and Appointment, have the same Powers and Authorities in all Things, as if he had been particularly named and appointed by this present Act.

New Commissioners to be chosen in the Room of those dying, &c.

V. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall

Commissioners, after due Examination

nation to grant
Licences to
Pilots.

be one) and they are hereby authorized and required to examine and enquire into the Skill and Ability of every Person who shall tender or offer himself to be admitted as a Pilot within the said Port, by the Examination of Witnesses upon Oath, (which Oath the said Commissioners, or any one or more of them, is and are hereby empowered to administer) or by such other Ways and Means as to them, or the major Part of them assembled at such Meeting, shall seem proper; and if upon such Examination and Inquiry, the Person so offering himself as a Pilot within such Port shall be approved of by the said Commissioners, or any five or more of them as aforesaid, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) he shall receive a Licence or Warrant, containing his Name, Age, Stature, Complexion, and Place of Abode, and certifying that he is duly qualified to act as a Pilot to conduct Vessels into and out of the said Port; which Licence or Warrant shall be subscribed with the proper Hand-writing of five or more of the said Commissioners (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one); and from thenceforth such Person shall be deemed duly qualified to exercise and follow the Occupation and Business of a Pilot within the said Port.

Penalty on Persons acting as Pilots without Licence.

VI. And be it further enacted, That from and after the twenty-fourth Day of *June*, One thousand seven hundred and seventy-six, if any Person or Persons shall take upon him or themselves to conduct or pilot any Ship, Vessel, or Barge, into or out of the said Port, without being licensed so to do as aforesaid by any five or more of the said Commissioners, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) which Licences the said Commissioners, or any five or more of them (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) are hereby empowered to grant, in Writing under their Hands as aforesaid; every Person so offending, for every such Offence, shall forfeit and pay any Sum not exceeding three Pounds, nor less than twenty Shillings.

Exception, in Favour of Coal Barges, and Vessels in Distress.

VII. Provided always, and be it enacted, That this Act shall not extend to hinder the Master or Commander for the Time being of any Barge not exceeding the Burthen of thirty Chaldrons of Coals, *Boston* Measure, being sixteen Metts, equal to thirty-six Bushels, agreeable to the Statute of the twelfth Year of the Reign of her late Majesty Queen *Anne*, or thirty Tons Builders Admeasurement, from piloting or conducting such Barge to and from the said Port, or to subject such Master or Commander to the Penalty above-mentioned, or to hinder any Person or Persons from assisting any Ship, Vessel, or Barge, in Distress, or to subject such Person or Persons to any of the Penalties in this Act for so piloting, conducting, or assisting; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Rates of Pilotage ascertained:

VIII. And be it further enacted, That no greater or other Rates or Prices of Pilotage shall be demanded or taken than the following; that is to say, For piloting or conducting into or out of the said Port any Ship, Vessel, or Barge, belonging to his Majesty's Subjects, drawing when loaded under twelve Feet of Water, from a certain Place within the said Port, commonly called or known by the Name of *High-born*, or from a certain other Place within the said Port, commonly called or known by the Name of *Boston and Toft*, to a certain other Place within the said Port, commonly called or known by the Name of *The Scalp or Scolf*, or from the *The Scalp or Scolf* aforesaid to *High-born* aforesaid, or *Boston and Toft* aforesaid, the Sum of one Shilling a Foot for every Foot of Water such Ship, Vessel, or Barge, shall then draw; and from *High-born* aforesaid, or *Boston and Toft* aforesaid, to *Boston* aforesaid, or from *Boston* aforesaid to *High-born* aforesaid, or *Boston and Toft* aforesaid, the Sum of one Shilling and Sixpence a Foot for every Foot of Water such Ship, Vessel, or Barge, shall then draw; and for piloting or conducting into or out of the said Port any Ship, Vessel, or Barge, belonging to his Majesty's Subjects, drawing when loaded twelve Feet of Water or upwards, from *High-born* aforesaid, or *Boston and Toft* aforesaid to *The Scalp or Scolf* aforesaid, or from *The Scalp or Scolf* aforesaid to *High-born* aforesaid, or *Boston and Toft* aforesaid, the Sum of two Shillings a Foot for every Foot of Water such Ship, Vessel, or Barge, shall then draw; and from *High-born* aforesaid, or *Boston and Toft* aforesaid, to *Boston* aforesaid, or from *Boston* aforesaid to *High-born* aforesaid, or *Boston and Toft* aforesaid, the Sum of three Shillings a Foot for every Foot of Water such Ship, Vessel, or Barge, shall then draw, and so in Proportion for Half a Foot of Water, in all and every of the Cases aforesaid; but no Allowance shall be made for any Number of Inches not amounting to Half a Foot; and for piloting or conducting into or out of the said Port, from or to any of the Places herein before mentioned, any Ship or Vessel belonging to the Subjects of any Foreign Nation, Double the Rate or Price above limited for piloting or conducting the like Ship or Vessel belonging to his Majesty's Subjects: And for piloting or conducting any Ship, Vessel, or Barge, into or out of the said Port to or from the Buoy called *The Knock-buoy*, or to or from the Buoy called *The Gat-buoy*, or to or from any Place or Places to the seaward of the said Buoys; or to or from any Place or Places above the said Buoys and below *High-born* or *Boston and Toft* aforesaid, such additional Sum or Sums of Money, either by the Foot or in Gross, as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time, at any of their Meetings, ascertain, rate, and appoint, as a fixed and certain Payment for the same: Provided always, that such additional Pilotage for Ships, Vessels, or Barges, to or from Places above the said Buoys and below the said *High-born* or *Boston and Toft* aforesaid, shall not exceed one Halfpenny per Foot per Mile; and provided also, that no Foreign Ship or Vessel shall be charged with, or pay more of such additional Pilotage per Foot or in Gross, than the Ships or Vessels of his Majesty's Subjects of the like Burthen are charged with; and that no Foreign Ship or Vessel shall pay more Pilotage from *Boston* aforesaid to *The Knock-buoy* aforesaid, than is herein before directed and ascertained for the Pilotage of Ships or Vessels from *Boston* aforesaid to *High-born* or *Boston and Toft* aforesaid; and that the said several Rates of Pilotage, so to become due and payable as aforesaid, shall be paid into the Hands of such Person or Persons as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time nominate and appoint to receive the same, (which Person or Persons they are hereby authorized to nominate and appoint) and at such Place or Places as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being,

Foreign Vessels to pay double Rates.

Additional Rates.

Additional Rates restricted, &c.

being, or his Deputy as aforesaid, shall be one) shall for that Purpose nominate and appoint for the Receipt thereof.

IX. And be it further enacted, That in case any Pilot or Pilots, so licensed as aforesaid, shall meet any Ship, Vessel, or Barge, coming into the said Port, at or beyond the said *Knock-buoy*, or at any intermediate Distance between the said *Knock-buoy* and *High-horn* or *Boston and Test* aforesaid, and at the Desire of the Owner, Master, or Commander, of the said Ship, Vessel, or Barge, shall pilot or conduct the same to *High-horn* aforesaid, or *Boston and Test* aforesaid, or other Place of Safety within the said Port between the said *Knock-buoy* and *High-horn* aforesaid, or *Boston and Test* aforesaid, the said Pilot or Pilots, for piloting or conducting the said Ship, Vessel, or Barge, as aforesaid, shall have and receive from the Owner, Master, or Commander, of the said Ship, Vessel, or Barge, over and above the several fixed Rates of Pilotage by this Act settled and ascertained, any Sum of Money not exceeding the Sum of three Pounds and three Shillings, to be ascertained and allowed by the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) in proportion to the Benefit received, and the Time and Trouble of the said Pilot or Pilots attending the same: Provided, that the said Commissioners shall not have ascertained and settled any fixed Price or Prices to be paid for the said Pilotage beyond *High-horn* aforesaid, or *Boston and Test* as aforesaid.

Extraordinary Allowance for piloting Vessels from The *Knockbuoy*, &c.

X. And be it further enacted, That the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall, and they are hereby authorized and required to contract and agree with any Person or Persons for the Hire and Use of two or more Sloops for carrying and conveying the said Pilots up and down the Channels of the said Port, and to ascertain, rate, and appoint what Part of the said Rates or Prices of Pilotage shall be allowed and paid for the Hire and Use of the said Sloops, and for the Maintenance of Men and Boys to assist on Board, and go in the said Sloops, and for and towards the Maintenance of such Pilots licensed as aforesaid, as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time consider as having become superannuated in the Execution of their said Office, and for satisfying and paying such Person or Persons as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time nominate and appoint to receive the said Rates and Prices of Pilotage as herein mentioned.

Commissioners to ascertain what Part of the Pilotage shall be paid for the Hire of Sloops, &c.

XI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) at any Time or Times to make, ordain, and establish, such Orders, Rules, and Bye-laws, for the better Regulation and Government of the Masters and Commanders of Ships, Vessels, and Barges, trading to and from the said Port, and of the Pilots so to be appointed and licensed as aforesaid, and also from Time to Time, as Occasion may be, to repeal, add to, amend, or alter such Orders, Rules, and Bye-laws, as to them the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall seem meet and convenient; and to fix and appoint reasonable pecuniary Penalties, not exceeding five Pounds, for the Non-observance, Non-performance, or other Breach of such Orders, Rules, or Bye-laws, or any of them, to be recovered by such Ways and Means as are herein after directed for the Recovery of the Penalties by this Act inflicted; and that it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) to suspend any of the Pilots to be appointed and licensed as aforesaid, who shall break such Orders, Rules, or Bye-laws, or any of them, or omit any Thing required by the same, or act in any-wise contrary thereto; and if any Pilot, so suspended, shall, during the Time of such Suspension, after having had due Notice of the same, take upon himself to pilot or conduct any Ship or Vessel into or out of the said Port, such Pilot shall, as often as he shall act as aforesaid as a Pilot during such Suspension, be liable to the Penalty which is provided by this Act against unlicensed Persons acting as Pilots.

Commissioners empowered to make Bye-laws, &c.

and to impose a Penalty of 5 l. on Aggressors.

Pilots may be suspended for Breach of Bye-laws, &c.

XII. And be it further enacted, That the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall cause the said Orders, Rules, and Bye-laws, and also a List of the Pilots so to be licensed as aforesaid, with the Rates or Prices of Pilotage, to be from Time to Time printed and distributed, and likewise hung up in some conspicuous Place at the Custom-house and Market-cross in *Boston* aforesaid; provided always, that the said Orders, Rules, and Bye-laws, or any of them, be not contrary or repugnant to the Laws or Statutes of the Realm of *Great Britain*.

Bye-laws to be printed, with a List of the Pilots and their Fees.

XIII. And be it further enacted, that in case any Pilot or Pilots, to be appointed and licensed as aforesaid, shall refuse to take the Charge of any of his Majesty's Ships, or of any Ship, Vessel, or Barge, in the Merchant's Service; or in case it shall appear to the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) that any such Pilot or Pilots shall have misbehaved him or themselves in the conducting of any Ship, Vessel, or Barge, or in the Execution of any other Part of his or their Duty as Pilots; or if any such Pilot or Pilots shall refuse to obey the Summons of the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) requiring his or their Appearance, or shall break or act contrary to such Orders, Rules, and Bye-laws, as the said Commissioners, or any five or more of them, whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time make in the Premises, or in any wise offend against this Act, then the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) upon Examination thereof, are hereby authorized to annul the Licence or Licences granted to such Pilot or Pilots, and to declare the same to be from thenceforth utterly void; and if any such Person or Persons shall, after such Declaration and Notice thereof given to him or them in Person, or left at his or their usual Place

If Pilots misbehave, Commissioners may vacate their Licences, &c.

of Abode, act as a Pilot or Pilots within the said Port, he or they shall, as often as he or they shall act as a Pilot or Pilots within the said Port as aforesaid, be subject to the Penalty inflicted by this Act on unlicensed Persons acting as Pilots.

Pilots, though refused to be taken on board, to be paid their usual Fee.

XIV. And be it further enacted, That in case the Master or Commander of any Ship, Vessel, or Barge, either inward or outward bound, shall refuse to take on Board and employ a Pilot to be appointed and licensed as aforesaid, who shall offer his Service, such Master or Commander shall pay or cause to be paid the said Pilotage according to the several Rates and Prices herein before directed to be paid, as if the said Pilot had been received and employed in conducting or piloting such Ship, Vessel, or Barge, into or out of the said Port.

Master to give the Pilot true Draught of Ship, &c.

XV. And be it further enacted, That the Master or Commander of every Ship, Vessel, or Barge, so to be piloted or conducted into the said Port, shall, and is hereby required to declare and give a true Account to the Pilot employed in conducting or piloting, or offering to conduct or pilot such Ship, Vessel, or Barge, of the Draught of Water such Ship, Vessel, or Barge, shall then draw; and in case such Master or Commander shall refuse so to do, or shall give an untrue Account of the Draught of Water of such Ship, Vessel, or Barge, then he shall forfeit, for every such Refusal or untrue Account so by him given, the Sum of Forty Shillings; and further, in case of such Refusal, or if the Pilot so employed or offering to be employed shall suspect the Truth of the Declaration or Account given, then such Pilot shall be and he is hereby authorized to mark such Ship, Vessel, or Barge, on her Arrival, and when unloaded to lay her on Shore in some proper and convenient Place within the said Port, and there to admeasure or cause to be admeasured the said Ship, Vessel, or Barge, in order to find the true Draught of Water she drew on her said Arrival; the Expence whereof, in case of such Refusal, or if upon such Admeasurement it shall appear that the said Declaration or Account shall be untrue, shall be paid by such Master or Commander; but in case the said Declaration or Account shall upon such Admeasurement appear to be true, then the said Expences shall be paid by the Collector to be appointed by virtue of this Act out of the Money in his Hands arising from the Rates herein before directed to be paid for Pilotage; and if any Dispute shall arise between the said Master or Commander and Pilot, concerning the Expence of laying the said Ship, Vessel, or Barge, on Shore, and admeasuring her as aforesaid, then the same shall be settled and ascertained by the Mayor of the said Borough for the Time being, or any one or more Justice or Justices of the Peace for the said Borough; and the said Expences, if refused to be paid by such Master or Commander, in case he shall be liable to pay the same, shall be levied and recovered, with all Charges attending such Levying and Recovery, in the same Manner, and by the same Means, as are herein after given and directed for the Levying and Recovery of the Pilotage by this Act directed to be paid; and in case the Pilot shall be liable to pay the same, the said Expences shall, if refused to be paid by such Pilot, be levied and recovered, with all Charges attending such Levying and Recovery, by Distress and Sale of the Goods of such Pilot, in such Manner as other Penalties and Forfeitures are directed to be levied and recovered by this Act.

on Penalty of 40 s.

Manner of Proceeding in case Pilot suspect the Master's Account.

Disputes to be settled by the Mayor, &c.

Pilotage of Ships outward bound to be secured, or pilot may refuse to take the Charge.

XVI. And be it further enacted, That if any of the Pilots, so to be appointed and licensed as aforesaid, shall be requested by the Master, Commander, Owner, Agent, or Consignee, of any Ship, Vessel, or Barge, outward bound, to take the Charge or Conduct of such Ship, Vessel, or Barge, it shall and may be lawful to and for such Pilot, previous to his taking such Charge or Conduct, to demand a sufficient Security from such Master, Commander, Owner, Agent, or Consignee, for the Payment of such Pilotage outward, according to the Rates or Prices herein before directed to be paid; and if such Master, Commander, Owner, Agent, or Consignee, shall refuse to give such Security, then, and in such Case, such Pilot may refuse to conduct or pilot such Ship, Vessel, or Barge, and shall not be subject in respect thereof to any of the Penalties inflicted by or in pursuance of this Act on Pilots refusing to take the Charge or Conduct of a Ship, Vessel, or Barge.

On Nonpayment of Pilots Rates, the Mayor, &c. may distrain.

XVII. And be it further enacted, That in case any Owner or Master, or any other Person having or taking upon himself, or appearing to have or take, the Command, Charge, Agency, or Consignment, of any Ship or Ships, Vessel or Vessels, Barge or Barges, charged or chargeable with the said respective Rates or Prices of Pilotage hereby directed to be paid, shall refuse to pay the same, then, and in such Case, it shall and may be lawful to and for the Mayor of the said Borough for the Time being, or any one or more Justice or Justices of the Peace for the said Borough, and, preferable to, and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever, claimable by or due to any Person or Persons whomsoever, to seize, take, and distrain, any of the Goods, Guns, Ropes, Tackle, Furniture, and Apparel, of or belonging to any such Ship or Ships, Vessel or Vessels, Barge or Barges, and the same to detain and keep until the Sum or Sums of Money due for piloting or conducting such Ship or Ships, Vessel or Vessels, Barge or Barges, into or out of the said Port, according to the said Rates or Prices, and reasonable Charges previous to and for taking such Distress, shall be paid and satisfied; and in case of any Neglect or Delay in Payment of such Sum or Sums of Money and Charges, for the Space of three Days next after such seizing, taking, or distraining, then it shall and may be lawful to and for the said Mayor, Justice or Justices, to cause the same to be appraised by any two sufficient Persons or Appraisers of the said Borough, and afterwards to sell and dispose of the said Goods so taken and appraised, and thereout to satisfy the said Rates or Prices of Pilotage so due and unpaid, with all reasonable Charges of such Proceedings previous to and attending such taking, seizing, distraining, appraising, and selling, rendering the said Rates or Prices so due and unpaid to the Pilot or Pilots entitled thereto; and the Overplus (if any there be after the said Charges are deducted) to the Masters or Owners, Agents or Consignees, upon Demand.

Penalty for heaving Pitch, &c. on Board any Ship in the Port, or the Limits thereof.

XVIII. And be it further enacted, That if any Master or Commander, or other Officer, of any Ship, Vessel, Barge, or Lighter, shall, during the Time such Ship, Vessel, Barge, or Lighter, shall lie in that Part of the said Haven and Harbour which is betwixt the Grand Sluice in the said Borough, and the Black Sluice in the Hamlet called Skirbeck Quarter, in the Parish of Skirbeck, in the said County of Lin-

colu, heat, boil, or melt, or cause or permit to be heated, boiled, or melted, on board any such Ship, Vessel, Barge, or Lighter, any Pitch, Tar, Resin, Grease, Tallow, Oil, or any other combustible Matter; every Person so offending, and being thereof convicted on the Oath of one or more Witnesses or Witnesses, shall, for every such Offence, forfeit the Sum of forty Shillings.

XIX. And be it further enacted, That it shall and may be lawful to and for the Mayor of the said Borough for the Time being, or any one or more Justice or Justices of the Peace for the said Borough, to hear and determine any of the Offences which are by this Act made punishable by any pecuniary Penalties; and such Mayor, Justice or Justices of the Peace, shall, and are hereby authorized and required, upon any Information exhibited, or Complaint made, in that Behalf, within three Calendar Months after such Offence committed, to summon the Party or Parties accused, and the Witnesses on either Side, or, if such Information or Complaint shall be verified upon Oath, (which Oath the said Mayor and Justice or Justices is and are hereby authorized and required to administer) by one or more credible Witnesses or Witnesses, to issue a Warrant or Warrants for apprehending the Party or Parties so offending; and upon the Appearance, or Contempt of the Party accused in not appearing, and Proof of Notice given, to proceed to the Examination of the Witness or Witnesses upon Oath, (which Oath the said Mayor, Justice or Justices, is and are hereby authorized and required to administer) and to give such Sentence, Judgment, or Determination, as shall be just, and conformable to the Tenor and true Meaning of this Act; and where the Party accused shall be convicted of such Offence upon such Information as aforesaid, or shall confess the same, and, on Demand, shall refuse or neglect to pay the Penalty or Forfeiture, together with the Costs and Charges previous to and of the Conviction, it shall and may be lawful to and for such Mayor, Justice or Justices, and he and they is and are hereby required, to issue out his or their Warrant or Warrants for levying the Penalty or Forfeiture, so adjudged to be incurred, together with the said Costs and Charges, by Distress or Distresses on the Goods and Chattels of the Offender, and to cause Sale to be made thereof in case they shall not be redeemed in three Days, rendering to the Party offending, after Payment of the said Penalties, and all the Costs previous to and of the Conviction, Distress and Sale, the Overplus (if any there be) on Demand; and in case any Person or Persons shall be convicted, in pursuance of this Act, of any Offence punishable by pecuniary Penalties as aforesaid, and no Goods and Chattels of such Person or Persons so offending can be found, then, and in such Case, it shall and may be lawful to and for such Mayor, or such Justice or Justices of the Peace, before whom such Person or Persons shall be convicted as aforesaid, to commit every such Offender and Offenders to the House of Correction or Common Gaol of the said Borough, there to be kept to hard Labour for any Time not exceeding the Space of three Calendar Months, or until such pecuniary Penalties shall be paid; which said pecuniary Penalties, together with the Costs and Charges aforesaid, so adjudged and paid, or levied in the Manner herein directed, shall go and be paid, one Moiety thereof to the Use of the Informer, and the other Moiety thereof to the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) to be by them applied and distributed to and for the Relief of the said superannuated Pilots, in such Manner as the said Commissioners shall from Time to Time think meet and necessary.

XX. Provided always, and be it enacted, That it shall and may be lawful to and for the said Mayor for the Time being, or such Justice or Justices of the Peace as aforesaid for the Time being, or any of them, by whom such Judgment, Sentence, or Determination, shall be given, pronounced, or made, from Time to Time, where he or they shall see Cause, to mitigate, compound, or lessen, any of the pecuniary Penalties or Forfeitures aforesaid, where the same are fixed by this Act, and not left to the Discretion of the said Mayor, Justice, or Justices, as he or they, in his or their Discretion, shall think fit, so as such Mitigation or Composition do not extend to remit above one Moiety of the Penalty inflicted and directed to be levied by or in pursuance of this Act; and every such Mitigation or Composition shall be a sufficient Discharge for the Persons offending respectively, for so much of the said Penalties and Forfeitures as shall be so mitigated, lessened, or remitted.

XXI. And be it further enacted, That in case any Person or Persons shall think himself or themselves aggrieved by any Penalty or Penalties, Conviction or Convictions, in pursuance of this Act, it shall and may be lawful to and for him and them to appeal to the Justices of the Peace at the next General Sessions or General Quarter Sessions of the Peace to be holden for the said Borough, or any Adjournment thereof, or any Adjournment of the then last preceding General Sessions or General Quarter Sessions of the Peace holden for the said Borough, who are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of the Person or Persons so thinking him or themselves aggrieved: And the said Justices may, by Order of such Sessions, mitigate or annul, at their Discretion, all or any of the Penalties laid on and incurred by the Party or Parties complaining, or alter or vacate the said Conviction or Convictions, and set the Party or Parties at Liberty, or otherwise may ratify and confirm the same, and give such Costs to the Appellants or Respondents as they shall think fit; but the Person or Persons so appealing as aforesaid, shall previously enter into a Recognizance before the Mayor for the Time being, or any Justice of the Peace for the said Borough, with two sufficient Sureties, to prosecute such Appeal at the next General Sessions or General Quarter Sessions of the Peace for the said Borough, or any Adjournment thereof, or any Adjournment of the then last preceding General Sessions or General Quarter Sessions of the Peace holden for the said Borough; and every such Appeal shall, at such General Sessions or General Quarter Sessions, or any Adjournment thereof as aforesaid, be heard and finally determined.

XXII. Provided nevertheless, and be it enacted, That no Order or other Proceedings, to be had or made by or before any Mayor, Justice or Justices of the Peace of the said Borough, in relation to the Premises, shall be quashed or vacated for Want of Form only; and that it shall and may be sufficient for such Mayor, Justice or Justices, to draw up the Conviction of any Offender against this present Act in the following Form, or Words to that Effect:

Mayor or Justice to hear and determine Offences.

If Penalty not paid on Demand, to be levied by Distress.

If no Goods can be found, Offender to be committed.

Application of Penalties.

Power to mitigate Penalties.

Persons aggrieved may appeal to the Sessions.

whose Determination shall be final.

Proceedings not to be quashed for Want of Form.

Form of Conviction.

Borough of Boston. **B**E it remembered, That on the _____ Day of _____ in the Year of our Lord _____ is (or are) convicted before _____ of his Majesty's Justices of the Peace for the said Borough, by virtue of an Act, made in the sixteenth Year of the Reign of King George the Third, for the better Regulation and Government of the Pilots conducting Ships and Vessels into and out of the Port of Boston, in the County of Lincoln; and for affixing and setting down Mooring-posts upon the Banks or High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour; and for preventing Mischiefs by Fire in the said Haven and Harbour; [specifying the Offence, Time and Place when and where the same was committed, as the Case shall be.]
Given under _____ Hand and Seal (or Hands and Seals) the Day and Year aforesaid.

Commissioners to affix and set down Mooring-posts, &c. and to lay down Bridges over the Creeks.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) to affix and set down, or cause to be affixed and set down, within or adjoining to the said Haven and Harbour, a sufficient Number of Mooring-posts for the safe mooring of Ships, Vessels, and Barges, in the said Haven and Harbour; and also to affix and lay down, or cause to be affixed and laid down, Bridges of Wood over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour, where the same shall, in the Judgment of the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) be deemed necessary, for the Convenience of towing or haling Ships, Vessels, and Barges, into and out of the said Port; the Property and Right of which Mooring-posts and Bridges to be affixed, set, and laid down as aforesaid, and of all Materials of which the same shall consist, are hereby vested in the said Commissioners for ever; and they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) are hereby impowered from Time to Time to bring, or cause to be brought, any Action or Actions, in the Name of their Treasurer or Clerk, against any Person or Persons who shall wilfully injure or damage the same.

Affixing Mooring-posts and Bridges restricted to certain Places.

XXIV. Provided always, and be it enacted, That nothing herein contained shall impower the said Commissioners to affix or set down any of the said Mooring-posts, except on the Banks of the said Haven, or upon the High Marshes, or to affix or set down any of the said Bridges, but on the said High Marshes; and so as neither the said Mooring-posts, nor the said Bridges, be affixed or set down within a less Distance than twenty Feet from the Edge of the said High Marshes.

No Mooring-posts, &c. to prejudice any Works executed under the Drainage Act of 2 Geo. 3.

XXV. Provided also, and be it enacted, That no Mooring-posts to be set down, and Bridges laid over any of the said Creeks, or any other Works whatsoever to be made and erected by the said Commissioners, shall be constructed or made so as in any-wise to prejudice, obstruct, prevent, or defeat, any Works made or executed by the General Commissioners of Drainage and Navigation, acting under a certain Act of Parliament, passed in the second Year of the Reign of his present Majesty (intituled, *An Act for draining and preserving certain Low Lands, called The Fens, lying on both Sides of the River Witham, in the County of Lincoln; and for restoring and maintaining the Navigation of the said River, from the High-bridge in the City of Lincoln, through the Borough of Boston to the Sea.*)

Additional Rates to be taken after June 24, 1776.

XXVI. And be it further enacted, That from and after the said twenty-fourth Day of June one thousand seven hundred and seventy-six, it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) or for such Person or Persons as they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall appoint for that Purpose, to demand, collect, receive, and take, as a Tonnage or Duty, over and above the several Rates and Dues paid and payable before the passing of this Act, of and from all and every the Masters or Commanders of every Ship, Vessel, or Barge, belonging to his Majesty's Subjects, arriving at or coming to the said Port laden with Coals, and delivering the same within the Limits thereof, any Sum of Money not exceeding one Penny per Chaldron, Boston Measure, for each and every Chaldron of Coals on board such Ship, Vessel, or Barge, so delivered as aforesaid; and also of and from all and every the Masters or Commanders of every Ship, Vessel, or Barge, belonging to his said Majesty's Subjects, as well those bound inward as outward, laden with any other Kind of Goods, Wares, and Merchandises, and delivering or lading the same within the Limits aforesaid, any Sum of Money not exceeding one Penny per Ton, for each and every Ton of Goods, Wares, and Merchandises, on board such Ship, Vessel, or Barge, so delivered or laden as aforesaid; and also of and from all and every the Masters or Commanders of every Foreign Ship or Vessel any Sum of Money not exceeding double the Duty or Tonnage, in the respective Cases before mentioned, payable by Masters of Ships, Vessels, or Barges, belonging to his Majesty's Subjects.

Coals, &c. to be delivered within the Districts of Wainfleet, &c. exempted from the Tonnage.

XXVII. Provided always, and be it enacted, That this Act shall not extend to subject any Coals, Goods, Wares, or Merchandises, to the Payment of the said Duty of one Penny per Chaldron or Ton, which may be delivered or laden within the Districts of *Wainfleet*, on the *Lincolnshire Coast*, or any Coals, Goods, Wares, or Merchandises, coming and going to and from any Place or Places within the Limits of the said Port only.

Commissioners impowered to borrow 20,000 l. and to assign the Duties as a Security.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) from Time to Time, upon the Credit of the said Tonnage or Duties payable by this Act, to borrow and take up at Interest any Sum or Sums of Money, which they shall think needful, not exceeding the Sum of two thousand Pounds; and they are hereby authorised and impowered, by any Writing or Writings, without Stamp, under their Hands and Seals, to assign over the said Tonnage or Duties, or any Part or Parts thereof, to any Person or Persons for any Term or Number of Years, as a Security or Securities for the Sums of Money that shall be borrowed, and the Interest thereof as aforesaid; and Copies of all such Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk

Clerk to the said Commissioners; and no Preference shall be given to any Person or Persons advancing any Part or Parts of the said gross Sum of two thousand Pounds, in respect of Priority of advancing his, her, or their Part or Parts thereof; but that all such Lenders and Persons to whom such Assignments shall be made as aforesaid, his, her, or their Executors, Administrators or Assigns, shall, so far as the gross Sum shall extend, be, and are thereby declared to be, Creditors on the said Tonnage or Duties in equal Degree one with another.

Assignments to be entered in a Book, &c.

XXIX. And be it further enacted, That all and every Person and Persons to whom any Assignment or Assignments of the said Tonnage or Duties shall be made by virtue of this Act, his, her, or their Executors or Administrators, shall and may, and he, she, and they is and are hereby authorized, from Time to Time, by any Instrument in Writing, or by signing any Indorsement on his, her, or their Security or Securities, in the following Words, or in Words to the same or the like Effect:

Assignments may be transferred.

‘ I A. B. do hereby assign and transfer all my Title and Interest in the principal Sum and Interest secured by the within Assignment to C. D. his Executors, Administrators, and Assigns.’

Form of Transfer.

To assign and transfer his, her, and their Right, Title, Interest, or Benefit, to the principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which Instrument or Indorsement shall be without Stamp; and the same, so made and signed, and entered with the Clerk to the said Commissioners, for which he shall be paid the Sum of two Shillings and Sixpence, and no more, shall intitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof; and such Person and Persons, Executors or Administrators, may in like Manner indorse and transfer the same again, and so *toties quoties*; and it shall not be in the Power of the Person or Persons who shall have made such Instrument or Indorsement to make void, release, or discharge the same.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) to chuse and appoint a Clerk, Treasurer, Collector, and such other Officers or Persons as they shall judge necessary for carrying this Act into Execution, and to settle such Fees and Salaries to be taken by such Officers as the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall from Time to Time judge reasonable; and from Time to Time to remove such Officers, or any of them, and to appoint others in their Stead; and that the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall take of such Treasurer and Collector, so to be chosen and appointed as aforesaid, such good and sufficient Security for the due Execution of their respective Offices as to them the said Commissioners shall seem meet; and that all such Officers and Persons shall from Time to Time, when thereunto required by the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) deliver to the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) or to such other Person or Persons as they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall for that Purpose appoint, true and perfect Accounts in Writing under their respective Hands upon Oath, (which Oath any one of the said Commissioners is hereby impowered to administer) of all Monies which he, they, and every of them respectively, shall to that Time have received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall then appear to be in their Hands to the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) or to such Person or Persons as they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall appoint to receive the same: And if any such Officer or other Person shall refuse or neglect to give such Account as aforesaid, or shall refuse or neglect to deliver up all the Vouchers relating to the same, or to verify the Articles thereof upon Oath, or shall neglect or refuse to pay the Money due on such Account in Manner aforesaid; or if any such Officer or other Person shall refuse or neglect to deliver up to the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) or to such Person or Persons as they shall appoint, within ten Days next after his or their being required so to do by the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) all the Books, Papers and other Writings, in his or their Custody or Power, relating to the Execution of this Act; then, and in all or any of the said Cases, it shall and may be lawful to and for the Mayor, or any one or more Justice or Justices of the Peace for the said Borough, and he or they is and are hereby required, upon Complaint made thereof, to make Enquiry concerning such Default in a summary Way, as well by Confession of the Party, as by the Testimony of one or more credible Witnesses or Witnesses upon Oath (which Oath the said Mayor, or such Justice or Justices, is and are hereby impowered and required to administer); and if any such Officer or other Person shall be convicted of any of the Offences aforesaid, the said Mayor, or such Justice and Justices, shall commit the Offender or Offenders to the common Gaol of the said Borough, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded for the same with the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) are hereby impowered to make, and until he shall have delivered up such Books, Papers, and Writings as aforesaid,

Commissioners may appoint Officers, and allow them Salaries.

Treasurer and Collector to give Security.

Officers to settle Accounts, and pay the Balance, when required by Commissioners.

Any Officer refusing to account, &c.

to be committed.

aforeſaid, or given Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one.)

Commiſſioner holding any Office of Profit under this Act, not to act as ſuch.

XXXI. And be it further enacted, That if any Commiſſioner appointed by, or to be elected in purſuance of, this Act, ſhall at any Time accept of any Office of Profit under this Act, ſuch Commiſſioner, if a Member of the ſaid Corporation, ſhall not, during his Continuance in ſuch Office, act as a Commiſſioner in the Execution of this Act; and ſuch Commiſſioner, if not a Member of the ſaid Corporation, ſhall ceaſe to be a Commiſſioner, and another Perſon ſhall be elected a Commiſſioner in his Place, as herein before directed.

How Collector, &c. to proceed in caſe of Veſſels departing without paying Duties.

XXXII. And, 'to the Intent the ſaid Tonnage or Duties may be truly answered and paid,' be it further enacted, That in caſe any Ship, Veſſel, or Barge, ſhall depart out of the ſaid Port without the ſaid Tonnage or Duties being paid, then the Collector of the ſaid Tonnage or Duties ſhall give Notice thereof to the Collector of his Maſteſty's Cuſtoms, Comptroller, Receiver of Entries, or their reſpective Deputies, at the Port of *Boston* aforeſaid; and ſuch Collector, Comptroller, Receiver of Entries, or their Deputies, ſhall not after ſuch Notice take or receive any Entry or Coquet, or Diſcharge or Clearance, or take any Report outwards for ſuch Ship, Veſſel, or Barge, *Britiſh* or Foreign, liable or ſubject to the Payment of the ſaid Tonnage or Duties, until double the Tonnage or Duties ſo left unpaid ſhall be paid to the Collector of the ſaid Tonnage or Duties.

King's Ships of War, &c. exempted from Duties.

XXXIII. Provided nevertheless, and be it enacted, That nothing in this Act contained ſhall extend to charge any of the Ships or Veſſels of War belonging to his Maſteſty, his Heirs or Succeſſors, or any Veſſel or Wherry employed in the Service of his Maſteſty's Revenue, with any of the Duties hereby granted.

Mooring-poſts and Bridges to be kept in Repair. Application of the Duties ariſing by this Act.

XXXIV. And be it further enacted, That the ſaid Mooring-poſts and Bridges ſhall from Time to Time be maintained and kept in good and ſufficient Repair, ſo as the Shipping and Trade of the ſaid Borough and Port may be effectually benefited thereby, according to the true Intent and Meaning of this Act; and that it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) from Time to Time, out of the ſaid Tonnage and Duties granted by this Act, or out of the Monies to be borrowed on the Credit thereof, to pay all juſt and reaſonable Sums of Money and Charges that ſhall or may be expended and accrue in obtaining this Act, and in buying, fixing, ſetting, laying down, maintaining and repairing, the ſaid Mooring-poſts and Bridges, together with all Salaries and other Charges which ſhall be proper and neceſſary for the ſeveral Purpoſes directed by this Act, and which ſhall be incurred by them in purſuance of this Act; and ſhall apply the Surplus-money ariſing from the ſaid Tonnage and Duties granted by this Act, after all the Intereſt of the Monies to be borrowed on the Credit thereof is paid, towards the Diſcharge of the principal Sum borrowed on the ſame.

Extent of the Harbour and Haven, &c.

XXXV. And be it further enacted, That, for the Purpoſes of this Act, the Harbour and Haven of the ſaid Borough and Port of *Boston* ſhall be deemed to extend from the Grand Sluice in the Borough aforeſaid, to the Place commonly called or known by the Name of *The Scalp* or *Scolf* aforeſaid; and that the ſaid Port ſhall be deemed to extend throughout and over all the Limits of the Admiralty Jurisdiction of the ſaid Mayor and Burgeſſes of the Borough of *Boston* aforeſaid.

Writings to be without Stamps.

XXXVI. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Commiſſioner or Commiſſioners for putting this Act in Execution, or any Juſtice or Juſtices of the Peace, or exhibited before them, touching or in Execution of any Power or Authority hereby granted, ſhall be charged or chargeable with any Stamp-duty whatſoever.

This Act not to affect the Trinity-houſe of Kingſton, &c.

XXXVII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to take away, abridge, defeat, impeach, or interrupt, any Grants, Liberties, Franchiſes, and Privileges, heretofore granted to, or which by any ancient Uſage and Cuſtom have from Time to Time been enjoyed and uſed by, the Pilots of the *Trinity-houſe* of the Town of *Kingſton upon Hull*, or the *Trinity-houſe* of *New-castle upon Tyne*.

Saving of Rights?

XXXVIII. Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend to invalidate, alter, leſſen, take away, impeach, or defeat, any of the Rights, Grants, Liberties, Powers, Franchiſes, Privileges, Dues, Payments, and Revenues, heretofore granted, or which by any Charter, ancient Uſage, Preſcription, or Cuſtom, have from Time to Time been had, enjoyed, received, taken and uſed, by the Mayor and Burgeſſes of the ſaid Borough of *Boston*, or by any other Perſon or Perſons, Body or Bodies Corporate whatſoever, nor to affect any landed Property adjoining to the ſaid Harbour; but that the ſame ſhall ſtand, remain, and be in their full Force and Effect, in the ſame Manner as if this Act had not been made; any Thing in this Act contained to the contrary thereof in any-wiſe notwithstanding.

This Act not to prejudice Works of Black Sluice Commiſſioners.

XXXIX. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to prejudice, obſtruct, prevent, or defeat, any of the Works made or to be made in purſuance of an Act, made in the fifth Year of his preſent Maſteſty's Reign, intituled, *An Act for draining and improving certain Low, Marſh, and Fen Lands, lying between Boston Haven and Bourn in the Parts of Keſteven and Holland, in the County of Lincoln*; and in purſuance of an Act made in the tenth Year of his preſent Maſteſty's Reign, for amending and rendering more effectual the ſaid Act made in the fifth Year of his preſent Maſteſty's Reign; or to impower the Commiſſioners acting by virtue of this Act to intermeddle with, or to invalidate, leſſen, alter, or take away, any of the Rights, Powers, or Authorities, which by the ſaid two laſt mentioned Acts were veſted in all or any of the Commiſſioners acting under the ſaid Acts, but that the ſame ſhall be and continue as fully, to all Intents and Purpoſes, as if this Act had never been made; any Thing herein contained to the contrary thereof in any-wiſe notwithstanding.

Distreſs not to be deemed unlawful for Want of Form, &c.

XI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, or the Party or Parties

Parties making the same deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *quod initio*, on account of any Irregularity, which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case.

XLI. Provided nevertheless, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, if sufficient Tender of Amends shall have been made to him, her, or them, by or on Behalf of the Defendant or Defendants, before such Action brought.

Plaintiff not to recover if Tender of Amends be made.
Limitation of Actions.

XLII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Cause of Action shall arise, and shall be laid and brought in the County of *Lincoln*, 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 Matter in question was done in pursuance, and by the Authority of this Act; and if it shall appear to have been so done, or if any Action or Suit shall be brought after the Time herein before limited in that Behalf, or shall be brought in any other County or Place than as aforesaid, 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 shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs of Suit, upon Affidavit made, or Certificate of the Judge or Judges before whom such Cause shall be tried, of all or any of the Circumstances before mentioned, as the Case may happen, and shall have the like Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

XLIII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in pursuance of this Act, until Notice thereof in Writing shall have been delivered to him or them, or left at his or their Place or Places of Abode, by the Party intending to commence such Action, or his Attorney or Agent, one Calendar Month at the least, before such Action brought; in which Notice the Cause of such Action shall be clearly expressed, and on the Back thereof shall be indorsed the Name of the Plaintiff, his Attorney or Agent; and that no Plaintiff shall recover in any such Case, unless it be proved upon the Trial that such Notice was given as aforesaid; but in Default thereof, a Verdict shall be given for the Defendant or Defendants, together with the like Costs of Suit as though the Verdict had been given upon the Merits.

No Action shall be brought till after one Month's Notice.

XLIV. And be it further enacted and declared, That this Act shall be taken and allowed in all Courts of Judicature within this Kingdom as a Public Act; and all Judges and Justices are hereby required to take Notice thereof judicially as such, without specially pleading the same.

Public Act.

C A P. XXIV.

An Act for vesting certain Estates, now held in Trust for the Benefit of the Royal Hospital for Seamen at *Greenwich*, in the Commissioners and Governors of the said Hospital, incorporated by his Majesty's Letters Patent.

WHEREAS their late Majesties King *William* and *Queen Mary*, by Letters Patent under the Great Seal of *Great Britain*, bearing Date the twenty-fifth Day of *October* which was in the Sixth Year of their Reign, did give and grant unto Sir *John Somers* Knight, then Keeper of the Great Seal, and sundry other Persons therein named, a certain Piece or Parcel of Ground, with a capital Messuage erected thereon, situate and being within the Parish of *East Greenwich* in the County of *Kent*, in the said Letters Patent particularly mentioned and described, to hold to the said Sir *John Somers* and the other Grantees, their Heirs and Assigns for ever, to be holden of the Crown as of its Manor of *East Greenwich* in free and common Soccage by Fealty only and without Rent, to the Intent that the Premises should be converted into an Hospital for the Relief of Seamen of the Royal Navy incapable to maintain themselves, their Widows and Children, and for the Encouragement of Seamen and Improvement of Navigation; and that so soon as the Buildings should be finished, and the Crown should establish a Corporation for the Government of the said Hospital, the said Grantees, and the Survivors of them, his or their Heirs and Assigns, should, by Appointment of the Crown, convey the Premises unto such Corporation: And whereas their late Majesties *Queen Anne*, *King George* the First, and *King George* the Second, and his present Majesty, did severally grant unto certain Persons several Commissions, enabling them to prosecute and complete the Building of the said Hospital, and did also grant several Powers for the Management thereof; but no Corporation for the Purpose aforesaid was established until the Sixth Day of *December* now last past: And whereas the several Grantees named in the said Letters Patent have long since departed this Life, and it cannot be discovered at this Distance of Time who was the Survivor of the said Grantees, or in whom the legal Estate of and in the said Piece or Parcel of Ground and Capital Messuage, in the said Letters Patent mentioned and described, is now vested: And whereas, in Prosecution of the Scheme for building the said Hospital, and providing suitable Accommodations thereto, it became necessary to purchase sundry Messuages, Lands, Tenements, and Hereditaments, adjoining to the before mentioned Piece or Parcel of Ground and Capital Messuage; and such Messuages, Lands, Tenements, and Hereditaments, no Corporation being then established, were conveyed at divers Times to sundry Persons, who were then Commissioners or Governors of the said Hospital, for the Use thereof, by Means whereof the legal Estates of and in such purchased Premises became and are now vested in many Persons, some of whom are wholly unconnected

Preamble.
Recital of Letters Patent of King *William* and *Queen Mary*, dated *Oct. 25*, in the Sixth Year of their Reign, granting to Sir *John Somers*, and others, a Piece of Ground, &c. in *East Greenwich*, &c.

Recital of Act
22 Geo. II. for
vesting the
Estates of the
late Earl of Der-
wentwater, and
Cha. Radcliffe,
in Trustees, for
the Benefit of
Greenwich Hos-
pital, &c.

with the Affairs of the said Hospital, and others of them, from the great Effluxion of Time since such Purchases were so made, cannot now be discovered: And whereas by an Act of Parliament, made and passed in the Twenty-second Year of the Reign of his late Majesty King George the Second, intituled, *An Act for vesting the several Estates of James late Earl of Derwentwater, and Charles Radcliffe, deceased, comprised in several Settlements therein mentioned, in Trustees, for an absolute Estate of Inheritance for the Benefit of the Royal Hospital at Greenwich, and for raising certain Sums of Money, out of Part of the said Estates, for the Relief of the Children of the said Charles Radcliffe*; after reciting as therein is recited, it was enacted, That the Barony, Manor, or Lordship of *Langley*, with the Rights, Members, and Appurtenances thereof, in the County of *Northumberland*, and also all those the Manors of *Whitting-stall* alias *Quitting-stall*, and *Newlands, Dilston, alias Develston, Aydon-Shields, Warke, Elrington, and Meldon*, and every of them, with their and every of their Rights, Members and Appurtenances, in the said County of *Northumberland*, and all those Manors or reputed Manors of *Spindleston, Utchester, Throckley, Coasiley, Middleton-hall, East Thornton, alias Thornton East, Westwood, and Thornborough*, and every of them, with their and every of their Rights, Members and Appurtenances, in the said County of *Northumberland*; and also all that the Advowson of the Church of *Symondburne*, with the Appurtenances, in the said County of *Northumberland*; and also all those Manors or reputed Manors of *Castlerigg and Derwentwater* alias *Keswick and Thornthwaite*, with their and every of their Rights, Members, and Appurtenances, in the County of *Cumberland*; and also all that the Manor of *Scremerston*, with the Rights, Members, and Appurtenances, in the County Palatine of *Durham*; and also all and singular the Messuages, Granges, Farms, Lands, Meadows, Pastures, Feedings, Woods, Underwoods, Tenements, and Hereditaments whatsoever, late the Estates of the said *James Earl of Derwentwater*, or whereof he was seised of any Estate of Inheritance in Possession, Reversion, Remainder, or Expectancy, situate, lying or being in the said Counties of *Northumberland and Cumberland*, and County Palatine of *Durham*, and every of them, with their Appurtenances, which, by certain Indentures of Lease and Release therein recited, bearing Date the twenty-third and twenty-fourth Days of *June* one thousand seven hundred and twelve, were settled, limited, and assured to the Uses in the said Indenture of Release of the twenty-fourth Day of *June* one thousand seven hundred and twelve, mentioned, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits, of all and singular the same Premises should, from and immediately after the Death of the said *Charles Radcliffe* in the said Act named, be, and be deemed to have been, divested out of his then Majesty, his Heirs and Successors, and settled upon and vested in, and the same were thereby from thenceforth settled upon and vested in, the Most Noble *Charles Duke of Richmond and Lenox*, and the Right Honourable *Henry Fox* Esquire, their Heirs and Assigns, freed, acquitted, and absolutely discharged, of, from, and against all and every the Uses, Estates, and Limitations, in and by the said Indenture of Release or Settlement, dated the twenty-fourth Day of *June* one thousand seven hundred and twelve, limited and created of and concerning the same, to and for the first and other Sons of the said *Charles Radcliffe*, and the Issue Male of such first and other Sons, and freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim, and Demand, as was vested in his said Majesty, his Heirs and Successors, by virtue of the several Attainders in the said Act mentioned, or of the several Acts of Parliament in the said Act recited, or any of them; and also freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim, and Demand, as was vested, or that might or could accrue or belong to his said late Majesty, his Heirs or Successors, by Reason or Means of *James Bartholomew Radcliffe* and *James Clement Radcliffe*, in the said Act named, or either of them, having been born out of the Dominions of the Crown of *Great Britain*, or otherwise howsoever, (save as therein after was saved) to the Use of them the said *Charles Duke of Richmond and Lenox* and *Henry Fox*, their Executors, Administrators, and Assigns, for and during, and unto the full End and Term of five hundred Years, to be computed from the Day of the Death of the said *Charles Radcliffe*, and from thence next ensuing and fully to be complete and ended, without Impediment of Waste; and, from and after the End, Expiration, or other sooner Determination of the said Term, then to and for the only proper Use and Behoof of the Right Honourable *Archibald Hamilton* Esquire, commonly called *Lord Archibald Hamilton*, *Charles Smith* Esquire, *James Guiman* Esquire, *Sir John Thompson* Knight, *Sir James Creed*, Knight, *Peter Burrell* Esquire, *William Fawkenor* Esquire, *William Baxter* Esquire, *Edward Vernon* Esquire, *Thomas Ripley* Esquire, Doctor *David Cockburn*, *James Spilman* Esquire, *William Allix* Esquire, *Fitzwilliam Plumtre* Esquire, *William Young* Esquire, and Captain *Francis Dansays*, then being sixteen of the Commissioners or Governors and Directors of the said Royal Hospital for Seamen at *Greenwich*, their Heirs and Assigns for ever; in Trust nevertheless, for themselves and the rest of the Commissioners or Governors and Directors for the Time being of the said Royal Hospital, for the Uses and Purposes following; (that is to say.) In the first Place, for and towards the finishing and completing the Building of the said Royal Hospital; and after the Building of the same should be completed and finished, for and towards the Support of the said Royal Hospital, and for the better Maintenance of the Seamen of the said Hospital worn out and become decrepid in the Service of their Country: And it was thereby further enacted, that the Manor and Lordship of *Aylstone* alias *Aylstone Moore*, and *Garrigill*, and all and every the Rights, Members, and Appurtenances thereunto belonging, in the said County of *Cumberland*, and all those the two Parts (the Whole into three parts to be divided) of the Manor and Lordship of *Newton Hall* in the said County of *Northumberland*; and all that the Moiety or one Half Part of the Village or Township of *Buteland*, in the Parish of *Chollerston* and County of *Northumberland*; and all those the Rectories or Parsonages of *Kirke-Welpington*, *Harburne* alias *Hartburne*, and *Midford* in the said County of *Northumberland*; and all and singular the Messuages, Tithes, Farms, Lands, Tenements, and Hereditaments whatsoever, situate, lying, and being in the said County of *Northumberland*, which, by certain other Indentures of Lease and Release, bearing Date the twenty-third and twenty-fourth Days of *March* one thousand six hun-

dred and ninety-one, in the said Act mentioned, were settled, limited, and assured to the Uses in the said Indenture of Release, of the twenty-fourth Day of *March* one thousand six hundred and ninety-one, mentioned; and which by virtue of the several Attainers in the said Act mentioned, and of the several Acts of Parliament in the Act now reciting respectively recited, or some of them, did then remain vested in his said late Majesty, his Heirs and Successors, subject to such Appropriation of the Rents and Profits thereof for the Use and Benefit of the said Royal Hospital at *Greenwich* as in the Act now reciting is mentioned; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits, of all and singular the said last-mentioned Premises, should from thenceforth be divested out of his said late Majesty, his Heirs and Successors; and the same should be, and should be deemed to be, and they were accordingly from thenceforth settled upon, and vested in, the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, Sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays*, their Heirs and Assigns, to the Use of them, their Heirs and Assigns, for ever, in Trust nevertheless, for themselves and the rest of the Commissioners or Governors and Directors for the Time being of the said Royal Hospital, for and towards the finishing and completing the Building of the said Royal Hospital, and, after the Building of the same should be completed and finished, for and towards the Support of the said Royal Hospital, for the better Maintenance of the Seamen of the said Hospital worn out and become decrepid in the Service of their Country, freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim, and Demand, as was vested in his said Majesty, his Heirs and Successors, by virtue of the several Attainers in the Act now reciting mentioned, or of the several Acts of Parliament therein also recited, or any of them, or otherwise howsoever, and freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim, or Demand, as any other Person or Persons whatsoever then had, or might, or could have had, in or to the said last-mentioned Manors, Messuages, Lands, Tenements, and Hereditaments, or in or to any Part or Parcel thereof, upon any Account whatsoever, save as therein after is mentioned: And it was thereby also enacted, That the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, Sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays*, their Heirs and Assigns, should, in Trust as aforesaid, but subject to the Term of five hundred Years, (as to the Premises comprised in the said Settlement of the twenty-fourth Day of *June* one thousand seven hundred and twelve, and as the same was therein before created and limited,) hold and enjoy all and singular the Manors, Lands, Tenements, and Hereditaments, comprised in the said Settlements of the twenty-fourth Day of *March* one thousand six hundred and ninety-one, and twenty-fourth Day of *June* one thousand seven hundred and twelve; and which are therein before vested, or mentioned to be vested, in the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, Sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays*, and the same should be, and be deemed to be, held of the said late King's Majesty, his Heirs and Successors, as of his said late Majesty's Manor of *East Greenwich* in the County of *Kent*, by free and common Soccage Tenure; but nevertheless the said Manors, Lands, Tenements, and Hereditaments, should be, and should be deemed to be, subject to such Quit-rents, Crown-rents, and Dutchy-rents, issuing thereout respectively, as the same were respectively liable to on the twenty-third Day of *June* one thousand seven hundred and fifteen: And it was thereby also enacted and declared, That the then present or future Commissioners or Governors and Directors of the said Royal Hospital at *Greenwich*, or any of them, should not be answerable or accountable to any Person or Persons, other than to the said Royal Hospital, for or in respect of all or any Part of the Rents, Issues, and Profits, of the said Manors, Lands, Tenements, and Hereditaments, comprised in the Indentures of Lease and Release of the twenty-third and twenty-fourth Days of *June* one thousand seven hundred and twelve, in the said Act recited, which had accrued or become due from the Death of the said *Charles Radcliffe*, and which had then already been, or should thereafter be received by them, or any of them, except by laying such Accounts before his Majesty and both Houses of Parliament, as by a certain Act, of the eighth Year of his said late Majesty's Reign, is directed; but that all such Rents, Issues, and Profits, and all Fines and Sums of Money which had accrued or become due or payable from the Death of the said *Charles Radcliffe*, should be appropriated and applied to the Uses and for the Purposes in the said Act, of the eighth Year of his said late Majesty's Reign, mentioned, and in the Act now reciting mentioned; nevertheless, that they the said Commissioners or Governors and Directors for the Time being, should from Time to Time lay the Accounts of their Receipts, Payments, and Disbursements, before his Majesty and both Houses of Parliament, as by the said recited Act, of the eighth Year of his said late Majesty, is directed, as well with respect to the Manors, Lands, and Hereditaments, comprised in the said Settlement of the twenty-fourth Day of *June* one thousand seven hundred and twelve, as with respect to the Manors, Lands, and Hereditaments, comprised in the said Settlement of the twenty-fourth Day of *March* one thousand six hundred and ninety-one; and after reciting, that by reason of the Limitation therein before made to the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, Sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays*, of the said Manors, Lands, Tenements, and Hereditaments, in Manner aforesaid, a Doubt might be made whether the Tenants of the said Estates ought from thenceforth to do such Acts and Services, and pay such Fines and Sums, as, by the Nature and Tenure of their Estates, founded upon immemorial Usage and Custom or otherwise, they would be to have done and performed and paid on the Death of any Lord thereof, in case the Limitation of the said Manors, Lands, Tenements, and Hereditaments,

Commissioners or Governors accountable to the Hospital only for Profits of Lands, &c.

Exception.

Upon the Death of his late Majesty, &c. enacted, that Services be done, and Fines paid, by the Tenants, agreeable to ancient Tenure.

Commissioners or Governors Impowered to appoint Stewards, Receivers, &c.

and to fell Timber.

taments, was made to a particular Person only and his Heirs; in order to make the like Provisions as were made by the Act of the eleventh Year of his said late Majesty's Reign, for obliging the Tenants of the said Estates to do such Acts and Services, and to pay such Fines and Sums of Money as aforesaid, it was further enacted, That upon the Death of his said late Majesty, and also upon the Death of every successive King and Queen of this Realm, all such Acts and Services should be done and performed, and all such Fines and Sums of Money should be paid by the respective Tenants of the said Estates to the said Commissioners or Governors and Directors for the Time being of the said Royal Hospital at *Greenwich*, as by the ancient Tenure thereof, or by any Contract, Law, Usage, or Custom, ought to be done, performed, and paid by them, in case the said Manors, Lands, Tenements, and Hereditaments, had continued to be, or were actually vested in his said late Majesty, his Heirs and Successors; and that he and they were to be considered as private Persons only, and not in their Politic Capacity; and for Default of Performance of such Acts and Services which ought so to be done and performed, and for Default of Payment of any such Fines and Sums of Money which ought so to be paid, such Forfeitures and Penalties should accrue and become due, and it should be lawful for the said Commissioners or Governors and Directors for the Time being of the said Royal Hospital, in the Name of any one of them, to use and take all such Ways and Means for recovering and taking Advantage of the said Forfeitures and Penalties as might be lawfully used or taken by his Majesty, his Heirs and Successors, in case the said Manors, Lands, Tenements, and Hereditaments, had continued to be or were actually vested in his said Majesty, his Heirs and Successors, and that he and they were to be considered as private Persons only, and not in their Politic Capacity; any Law, Usage, or Custom, to the contrary notwithstanding: And it was thereby also further enacted, That the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, William Fawkener, and William Baxter*, and the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, should stand possessed of and interested in the Barony, Manors, Lands, and Hereditaments, by two several Indentures, both bearing Date the sixteenth Day of *February*, one thousand seven hundred and forty-eight, in the Act now reciting particularly mentioned, respectively bargained, sold, and assigned unto the said *Archibald Hamilton, Charles Smith, James Gunman, Sir Edward Bellamy, Sir John Thompson, William Fawkener, and William Baxter*, their Executors, Administrators, and Assigns, for and during all the Rest, Residue, and Remainder then to come and unexpired, of the several Terms of five hundred Years and five hundred Years in the same Indentures mentioned; and that they the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, William Fawkener, and William Baxter*, and the Survivors and Survivor of them, and the respective Heirs, Executors, and Administrators, of such Survivor, should stand seized and possessed of and interested in the Sum of three thousand Pounds in the Act now reciting mentioned, and the Barony, Manors, Lands, and Hereditaments, charged with the Payment thereof, in Trust, for the Commissioners or Governors and Directors, for the Time being, of the said Royal Hospital at *Greenwich*, and to the Intent that the said last-mentioned Terms of five hundred Years and five hundred Years might attend and wait upon the Freehold and Inheritance of the Premises therein respectively comprised, and by the Act now reciting limited to the said *Archibald Hamilton, Charles Smith, James Gunman, Sir John Thompson, Sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumtre, William Young, and Francis Dansays*, and to protect the same from all mesne Incumbrances, if any should happen to be; but subject nevertheless, and without Prejudice, to the said Term of five hundred Years therein before limited to the said *Charles Duke of Richmond and Lenox and Henry Fox*, their Executors, Administrators and Assigns, as aforesaid: And it was thereby further enacted, That it should and might be lawful to and for the Commissioners or Governors and Directors, for the Time being, of the said Royal Hospital at *Greenwich*, or any seven or more of them, from Time to Time, and at all Times thereafter, to appoint Stewards, Receivers, or Bailiffs, of the said Manors, Lands, Tenements, and Hereditaments, and to invest them with full Power to receive and get in the Rents; Issues, and Profits thereof, and to give Receipts, Discharges and Acquittances for the same, and to hold Courts, and to do and perform all Acts, Matters, and Things, necessary for the managing the said Premises, usually done and performed by Stewards, Receivers, and Bailiffs, and also to assign and allow such Salaries and Rewards to the said Stewards, Receivers, and Bailiffs, as the said Commissioners or Governors and Directors of the said Royal Hospital for the Time being, or any seven or more of them, should think requisite and necessary in that Behalf; and also that it should and might be lawful to and for the said Commissioners or Governors and Directors of the said Hospital for the Time being, or any seven or more of them, from Time to Time, and at all Times thereafter, to contract for the Sale of, and accordingly to make Sale and dispose of, all or any such Part or Parts of the Timber or Timber Trees on the said Estates, as they the said Commissioners or Governors and Directors, or any seven or more of them, should think fit, and to authorise and appoint any Person or Persons to make any Contract or Contracts for the Sale of all or any Part or Parts of such Timber and Timber Trees, and to receive the Purchase-money for the same, without being obliged to make any Application for all or any of those Purposes to his Majesty's Court of Exchequer, or to any Person or Persons whatsoever: And it was thereby also further enacted, That the Money to arise by the Sale of the said Timber should be applied to the Use of the said Hospital; but so nevertheless as that no Person or Persons who should purchase any Part of such Timber should be answerable for the Application of such Purchase-money; and that it should and might be lawful to and for the said Commissioners or Governors and Directors of the said Hospital, or any seven or more of them, to direct the cutting down, from Time to Time, such Timber and Timber Trees from off the said Estates as they should at any Time adjudge necessary or fitting to be used in the repairing any Houses, Tenements, Buildings, or Erections, on the said Estates, or to be used in the building any new Houses, Tenements, Edifices, Buildings, or Structures, as they should judge fitting to be erected on the said Estates, or

should think it necessary or reasonable to build or erect for any Tenants of the said Estates, or for the Benefit or Improvement of the Premises, or any Part thereof: And it was thereby further enacted, That it should and might be lawful to and for the Commissioners or Governors and Directors for the Time being of the said Royal Hospital at *Greenwich*, or any seven or more of them, from Time to Time, and at all Times thereafter, to demise and grant all and every or any of the Mines of Lead, Coal, and other Minerals, as well opened as not opened, within and under any of the aforesaid Lands and Premises, to any Person or Persons, for any Term or Number of Years not exceeding twenty-one Years, and to grant Leases of all or any of the aforesaid Manors, Lands, Tenements, and Hereditaments, unto any Person or Persons for any Term or Number of Years not exceeding twenty-one Years, to take Effect in Possession, and not in Reversion, reserving in every Lease, Demise, or Grant of Mines, such Dues, Rent or Rents, and Profits, as they should judge most reasonable; and reserving on every other Lease and Demise the best yearly or other Rents or Dues which can be reasonably gotten for the same, without taking any Fine, Premium, or Foregift; and that it should be lawful for the said Commissioners or Governors and Directors of the said Hospital, or any seven or more of them, to grant in every such Lease, Demise, and Grant of Mines and Minerals, to the respective Adventurers, Lessee or Lessees of such Mines and Minerals, full Power and Liberty to win and work the same Mines and Minerals, and to do every other reasonable Act and Thing requisite and necessary for that Purpose; but it was thereby enacted, That in every such Demise and Lease there should be contained a Condition of Re-entry for Non-payment of the Rent and Rents thereby respectively to be reserved; and it should be requisite for the respective Lessees to execute Counterparts of all such Demises and Leases; and no Clause should be contained in any of the said Demises or Leases, other than in the Demises or Leases of the said Mines or Minerals, whereby to give Power to any Lessee to commit Waste, or to exempt him, her, or them, from Punishment for committing the same: And after reciting that the Fines, Customs, and Services, by and under which several of the Tenants held their Farms, Lands, Tenements, and Estates, lying and being within several of the aforesaid Manors, were agreed, ascertained, or expressed, in some Articles, Indenture, Deed or Writing, then or late in the Custody or Power of some of the said Tenants, which, if produced, might be a Means to prevent Disputes, Differences, and Suits, concerning the said Fines, Customs, and Services, and for the Quiet and Benefit both of the Lord and Tenants; and it might happen that such Tenants might refuse to produce or shew such Articles, Indenture, Deed, or Writing, it was therefore enacted, That it should and might be lawful, to and for any seven or more of the Commissioners or Governors and Directors of the said Hospital for the Time being, to apply to his Majesty's Court of *Exchequer* at *Westminster*, by a Motion in a summary Way, against any Tenant or Tenants holding any Farms, Lands, Tenements, or Estates, lying and being within the said Manors, or any of them, of whose having in his, her, or their Custody or Power any such Articles, Indenture, Deed or Writing, probable Evidence should be shewed to the Satisfaction of the said Court, for such Tenant or Tenants to produce and shew forth the same; upon which Motion it should and might be lawful to and for the said Court of *Exchequer* to examine and inquire into the said Matter, and make such Order or Orders with respect to the producing and shewing forth any such Articles, Indenture, Deed, or Writing, by any such Tenant or Tenants appearing to the said Court to have the same in his, her, or their Custody or Power, and with respect to any Copy or Copies to be had and made thereof, and such other Order or Orders concerning the same, as the said Court should think proper and just: And it was thereby further enacted, That so soon as it should happen that so many of them the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, *Sir John Thompson*, *Sir James Creed*, *Peter Burrell*, *William Fawkenor*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis Dansays*, the Trustees nominated and appointed in and by the said Act, for and on Behalf of the said Commissioners or Governors and Directors of the said Royal Hospital at *Greenwich*, should happen to die, so as that the Number of such Trustees should be reduced to eleven, or to any lesser Number, that then, and in that Case, it should and might be lawful to and for the Commissioners or Governors and Directors of the said Hospital for the Time being, or any seven or more of them, and they were thereby authorized and impowered at any Time thereafter, by any Deed or Instrument in Writing under their respective Hands and Seals, to be inrolled in his Majesty's High Court of *Chancery*, to nominate such other Persons as they the said Commissioners or Governors and Directors of the said Hospital, or any seven or more of them, should think fit, in the Place of such of the said Trustees as should so happen to die; and that it should and might be lawful to and for the said Commissioners or Governors and Directors of the said Hospital for the Time being, or any seven or more of them, and they were thereby authorized and impowered, from Time to Time, and at all Times afterwards, when and so often as any other of the said Trustees, or when and so often as any of such other Persons as should be so nominated as aforesaid, or any other Persons to be afterwards nominated in pursuance of the said Act (which they were thereby authorized and impowered to nominate accordingly) should happen to die, by any such Deed or Instrument in Writing as aforesaid, to nominate such other Persons as they the said Commissioners or Governors and Directors, or any seven or more of them, should think fit, in the Place of all and every the Person and Persons so dying: And it was thereby also enacted and declared, That from and immediately after every such Nomination, all and singular the Manors, Lands, Tenements, and Hereditaments, and Powers, therein before limited and given to the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, *Sir John Thompson*, *Sir James Creed*, *Peter Burrell*, *William Fawkenor*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis Dansays*, and their Heirs as aforesaid, should be well vested in the Persons who from Time to Time should be so nominated as aforesaid, jointly with the Survivors of the said Trustees, or such other Persons as aforesaid, and in their Heirs, in Trust, for the said Commissioners or Governors and Directors of the said Hospital, as fully

Commissioners,
 &c. impowered
 to grant Leases
 of Mines, Lands,
 &c. for 21
 Years.

Trustees im-
 powered, so soon
 as their Number
 should be re-
 duced to 11, to
 chuse new ones,
 &c.

Various Letters
Patent recited :
Granted :
Car. I.

23 Car. II.

3 Annæ.

3 Geo. II.

and 16 Geo. III.

Certain Persons,
in the reciting
Patent describ-
ed, incorporated,
Their Name.

and effectually to all Intents and Purposes as if the Persons so to be nominated as aforesaid had been actually named in the Act now reciting, and the said Manors, Lands, Tenements, and Hereditaments, and Powers, had been thereby limited and given to them and the Survivors of the said Trustees, or such other Persons as aforesaid, and their Heirs : And whereas the Persons, in whom the said Manors, Messuages, Lands, Tenements, and Hereditaments were, by or by virtue of the said Act of Parliament, vested, have been several Times reduced to eleven or a less Number, and thereupon Appointments of New Trustees have been from Time to Time made, executed, and inrolled in his Majesty's High Court of Chancery, pursuant to the said Act of Parliament : And whereas the Commissioners and Governors of the said Hospital, since the passing of the said Act of Parliament, have made some small Purchases of Lands, Tenements, Tithes, and Hereditaments, in the Counties of *Northumberland* and *Cumberland*, and County Palatine of *Durham*, for the better Accommodation of the Tenants of the Manors, Messuages, Lands, Tenements, and Hereditaments, comprised or mentioned in the said recited Act of Parliament ; and such purchased Premises have been conveyed to such Persons as, at the several Times of making such Purchases, were Trustees of the Estates lately belonging to the said Earl of *Derwentwater* and *Charles Radcliffe*, for the Use of the said Hospital : And whereas his late Majesty King *Charles* the First, by his Letters Patent, bearing Date on or about the thirteenth Day of *February* which was in the twelfth Year of his Reign, did appoint that certain Light-houses, which had been erected by Sir *John Meldrum* on the *North* and *South Foreland*, should be continued, and that he might alter, renew, remove, or change them, and that there should be collected from every Vessel, whether belonging to Subjects or Strangers, passing by such Light-houses, certain Duties *per Ton*, and gave several Directions for collecting and getting in the same, and granted the said Duties to the said Sir *John Meldrum*, his Executors, Administrators, and Assigns, for fifty Years from the Date of the said Letters Patent, under the Rent of twenty Pounds, payable into the *Exchequer* by half-yearly Payments : And whereas his late Majesty King *Charles* the Second, by his Letters Patent, bearing Date on or about the twenty-first Day of *July* which was in the twenty-third Year of his Reign, did grant the said Duties to *John Smith* Esquire, for the further Term of thirty Years, to commence from the Expiration of the former Grant to the said Sir *John Meldrum* : And whereas the said Duties afterwards became the Property of *Robert Osbolston* Esquire : And whereas her late Majesty Queen *Anne*, by her Letters Patent, bearing Date on or about the first Day of *June* which was in the third Year of her Reign, did grant the said Duties to the said *Robert Osbolston*, for the further Term of seventeen Years, to commence from the Expiration of the former Grant to the said *John Smith* ; and the said Duties, together with three Messuages or Tenements situate on *Saint Peter's Hill* in the City of *London*, by virtue of the Will of the said *Robert Osbolston*, bearing Date on or about the tenth Day of *October* which was in the Year of our Lord one thousand seven hundred and seven, became the Property of the said Hospital : And whereas his late Majesty King *George* the Second, by his Letters Patent, bearing Date on or about the fourteenth Day of *July* which was in the third Year of his Reign, did give and grant unto Sir *John Jennings*, *Joseph Soanes*, *Philip Cavendish*, Sir *Garrard Conyers*, Sir *Edward Bellamy*, Sir *Jahn Thompson*, Sir *Thomas Colby*, *Samuel Holden*, *William Fawkenor*, *Baltzar Lyell*, *John Hanbury*, *Ralph Radcliffe*, *Nicholas Clarke*, *William Baxter*, *Sidney Godolphin*, *Charles Chamberlain*, *Edward Vernon*, *John Guy*, *William Collier*, *Jayes Sewell*, *Richard Moreton*, *Colin Campbell*, *Charles Vanburgh*, and *Joseph Bell*, their Executors, Administrators, and Assigns, full Power and Authority, at their own Charges, with the Advice of skilful Seafaring Men, to continue, maintain, erect, alter, renew, and change, the respective Light-houses and Lights upon the *North* and *South Foreland* ; and did give and grant unto them, their Executors, Administrators, and Assigns, certain Duties payable for Ships and other Vessels having the Benefit of the said Light-Houses and Lights, with Powers to collect the same, to hold to them, their Executors, Administrators, and Assigns, for Ninety-nine years, from the Expiration, Surrender, Forfeiture, or other sooner Determination, of the Letters Patent therein recited, and the Grant thereby made to the said *Robert Osbolston*, in Trust, for the sole Use, Benefit, and behoof, of the poor Seamen of the said Hospital : And whereas his present Majesty, by his Letters Patent, bearing Date on or about the sixth Day of *December* now last past, after reciting the Letters Patent granted by King *William* and Queen *Mary*, Queen *Anne*, King *George* the First, and King *George* the Second, for the founding, erecting, and managing the said Hospital, as herein before mentioned ; and also reciting, that it had been found that the Powers contained in the said recited Letters Patent had not been competent for the collecting, receiving, and applying, the Revenues, Rents, Profits, and Emoluments, given, appropriated, and belonging, or which might thereafter be given, appropriated, or belong to, or to the Use of the said Hospital, and had also been found insufficient for other necessary and beneficial Purposes, whereby great Inconveniencies and Losses had happened to the said Hospital, did ordain, appoint, and establish, That certain Persons, in the Letters Patent now reciting named and described, should for ever thereafter be, by virtue of the said Letters Patent, one Body Politic and Corporate, in Deed and in Name, by the Name of *The Commissioners and Governors of the Royal Hospital for Seamen at Greenwich in the County of Kent* ; and did also give sundry Powers to such Corporation for the better Regulation and Management thereof : And whereas great Inconveniencies will arise to the said Corporation in case the legal Estates of and in the Piece or Parcel of Ground, Capital Messuage, and other Messuages, Lands, Tenements, and Hereditaments, herein before mentioned to be situate, lying, and being at *Greenwich* and on *Saint Peter's Hill* aforesaid, and of and in the said Barony, Manors, Messuages, Lands, Tenements, and Hereditaments, herein before mentioned to be situate, lying and being in the Counties of *Northumberland* and *Cumberland*, and County Palatine of *Durham*, vested by the said recited Act of Parliament or purchased as aforesaid, and of and in the said Light-house Duties, shall continue and remain in so many Persons as the same are now vested in, and which Inconveniencies will be wholly removed by vesting such legal Estates in the said Corporation, who are now capable by Law of taking and holding the same ; may it please your Majesty that it may be enacted ;

and

and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Barony, Manor, Messuages, Lands, Tenements, Tithes, and Hereditaments, and Light-house Duties, with their several Rights, Members, and Appurtenances, heretofore given, granted, devised, settled upon, or vested in, or conveyed or limited or demised or assigned to, any Person or Persons whomsoever, in Trust for, or for the Use or Benefit of the said Hospital, or given, granted, or devised to the said Hospital, by any Gift, Grant, Letters Patent, Will, Letters of Administration, Act of Parliament, Indentures, Deed Poll, or other Deed in Writing, or otherwise howsoever, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, shall, from and after the first Day of *May* one thousand seven hundred and seventy-six, be divested out of all and every such Person and Persons, his, her, and their Heirs, Executors, and Administrators, and the same shall be, and shall be deemed to be, and they are accordingly from thenceforth settled upon and vested in the said Corporation, being the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, their Successors and Assigns, to the Use of the said Commissioners and Governors of the said Royal Hospital, their Successors and Assigns, for ever, freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim, and Demand, as any Person or Persons whatsoever hath or have, or may or can have, in or to the said Barony, Manors, Messuages, Lands, Tenements, Tithes, and Hereditaments, and Light-house Duties, or in or to any Part or Parcel thereof, upon any Account howsoever, save as herein after is mentioned.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and seventy-six, all and every the Clauses and Powers herein before recited to be contained in the said Act of the twenty-second Year of the Reign of his late Majesty King *George* the Second; and also so much of the Act passed in the eighth Year of the Reign of his said late Majesty King *George* the Second, as relates to laying the Accounts of the Commissioners or Governors of the said Hospital before his Majesty and both Houses of Parliament; shall be, and the same are hereby repealed.

III. And be it further enacted, That the said Commissioners and Governors of the said Royal Hospital, their Successors and Assigns, shall hold and enjoy all and singular the said Barony, Manors, Messuages, Lands, Tenements, Tithes, and Hereditaments, and the same shall be and be deemed to be held of the King's Majesty, his Heirs and Successors, as of his Majesty's Manor of *East Greenwich* in the County of *Kent*, by free and common Soccage Tenure; but nevertheless the said Barony, Manors, Messuages, Lands, Tenements, Tithes, and Hereditaments, shall be, and shall be deemed to be, subject to such Quit-rents, Crown-rents, and Dutchy-rents, issuing thereout respectively, as the same are now respectively liable to.

IV. And whereas, by reason of the settling of the said Barony, Manors, Messuages, Lands, Tenements, Tithes, and Hereditaments, in the said Commissioners and Governors of the said Royal Hospital in Manner aforesaid, a Doubt may be made whether the Tenants of the said Estates ought from henceforth to do such Acts and Services, and pay such Fines and Sums as, by the Nature and Tenure of their Estates, founded upon immemorial Usage and Custom or otherwise, they would be to have done and performed and paid on the Death of any Lord thereof, in case the Settlement of the said Barony, Manors, Messuages, Lands, Tenements, Tithes, and Hereditaments, was made to a particular Person only and his Heirs: Now, in order to make the like Provisions as were made by an Act of Parliament, made and passed in the eleventh Year, and of the said Act passed in the twenty-second Year of his late Majesty's Reign, for obliging the Tenants of the said Estates to do such Acts and Services, and to pay such Fines and Sums of Money as aforesaid, be it further enacted by the Authority aforesaid, That upon the Death of his present Majesty (whom God long preserve for the Benefit of his People); and also upon the Death of every successive King or Queen of this Realm, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid, by the respective Tenants of the said Estates, to the said Commissioners and Governors of the said Royal Hospital, as by the ancient Tenure thereof, or by any Contract, Law, Usage, or Custom, ought to be done, performed, and paid by them, in case the said Manors, Lands, Tenements, and Hereditaments, had continued to be or were actually vested in his Majesty, his Heirs and Successors, and that he and they were to be considered as private Persons only, and not in their politic Capacity; and for Default of Performance of such Acts and Services which ought so to be done and performed, and for Default of Payment of any such Fines and Sums of Money which ought so to be paid, such Forfeitures and Penalties shall accrue and become due; and it shall be lawful for the said Commissioners and Governors of the said Royal Hospital to use and take all such Ways and Means for recovering and taking Advantage of the said Forfeitures and Penalties as might be lawfully used or taken by his Majesty, his Heirs and Successors, in case the said Manors, Lands, Tenements, and Hereditaments, were actually vested in his Majesty, his Heirs and Successors, and that he and they were to be considered as private Persons only, and not in their politic Capacity; any Law, Usage, or Custom, to the contrary notwithstanding.

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, in whose Name or Names any Stock Annuities, or other Monies, is or are now standing or being in Trust for, or for the Use or Benefit of the said Hospital, or in whom any Stock Annuities, or other Monies, hath or have been invested for, or for the Use or Benefit of the said Hospital, and the Survivors and Survivor of them, or the Executors and Administrators of such Survivor, shall, as soon as conveniently may be after the passing this Act, assign and transfer such Stock Annuities, or other Monies as aforesaid, unto the said Corporation.

VI. And whereas divers Penalties, Forfeitures, Gifts, Duties, and other Benefits, have been given, granted, settled, appropriated, and established, for the Use and Benefit of the said Royal Hospital, and the Maintenance thereof, in and by divers Statutes heretofore made and now in Force; and divers Modes

After May 1, 1776, all Lands, Tenements, &c. heretofore given or granted to, or for the Use of, *Greenwich Hospital*, vested in the Corporation of the Commissioners and Governors, &c.

Act 22 Geo. II. &c. repealed.

In what Manner the Barony, Lands, &c. are to be held.

Services to be performed, and Fines paid, by the Tenants, agreeable to the ancient Tenure, &c.

How Forfeitures and Penalties may be recovered.

All Stock Annuities, &c. invested for the Use of the Hospital, to be transferred to the Corporation.

All Penalties,
Gifts, &c. given
to or vested in
any Persons for
the Benefit of
the Hospital,
shall, after May
1, 1776, be
vested in the
Commissioners,
&c.

' have been prescribed by such Statutes for the Recovery of such Penalties, Forfeitures, Gifts, Duties, and other Benefits; and Inconveniencies have arisen in pursuing such Modes for the Recovery thereof; be it further enacted by the Authority aforesaid, That from and after the first Day of *May* one thousand seven hundred and seventy-six, all and every Penalties, Forfeitures, Gifts, Duties, and other Benefits, given, granted, settled upon, or vested in, any Person or Persons whomsoever, in Trust for, or for the Use or Benefit of, the said Hospital, or given, granted, or appropriated to the said Hospital, shall be deemed to be, and they are accordingly from thenceforth settled upon, vested in, and appropriated to, the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, their Successors and Assigns, for the Use and Benefit of the said Royal Hospital; and that all such Suits as shall or may be necessary to be brought for the Recovery of any such Penalties, Forfeitures, Gifts, Duties, or other Benefits as aforesaid, or any Parts of them, or either of them, shall and may be brought, commenced, and prosecuted, by and in the Name of *The Commissioners and Governors of the Royal Hospital for Seamen at Greenwich in the County of Kent*, in such and the same Manner as if such Penalties, Forfeitures, Gifts, Duties, and other Benefits as aforesaid, had accrued to the said Commissioners and Governors of the said Hospital in their Corporate Capacity; any Law, Statute, Usage, or Custom, to the contrary thereof in any-wise notwithstanding.

Proviso.

VII. Provided always, That all and every the Suits, Bills, Complaints, Informations, or Actions, which are now depending in any of his Majesty's Courts of Record, shall and may be prosecuted and carried on in such and the same Manner as if this Act had not been made.

This Act not
to invalidate
Leases, &c.

VIII. Provided also, That all and every Lease and Demise of all or any the Lands, Tenements, Mines, and Hereditaments, of or belonging to the said Royal Hospital, shall and may be, and are hereby deemed to be valid and effectual, to all Intents and Purposes, in such and the same Manner as if this Act had not been made.

Part of an Act
33 Geo. II. re-
pealed.

IX. And be it further enacted by the Authority aforesaid, That from and after the first Day of *May* one thousand seven hundred and seventy-six, so much and such Part of an Act, made and passed in the thirty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more effectual securing the Payment of such Prize and Bounty Monies as were appropriated to the Use of Greenwich Hospital, by an Act made in the twenty-ninth Year of the Reign of his present Majesty, intituled, "An Act for the Encouragement of Seamen, and the more speedy and effectual manning his Majesty's Navy,"* as relates to the Manner of levying and recovering Penalties and Forfeitures, and Parts of Penalties and Forfeitures, given or granted to or for the Benefit of the said Hospital, shall be, and the same is hereby repealed.

Public Act.

X. And be it further enacted by the Authority aforesaid, That this Act shall be, and the same is hereby declared to be a Public Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. XXV.

An Act for lighting and watching the Streets, Lanes, and other public Passages and Places, within the Borough of *Boston*, in the County of *Lincoln*; and for removing and preventing Nuisances, Annoyances, and Obstructions therein.

C A P. XXVI.

An Act for lighting and watching the Villages of *Camberwell* and *Peckham*, in the County of *Surrey*, and certain Roads therein mentioned leading thereto; and for establishing a Foot Patrole between *Peckham* and *Blackman street* in the Borough of *Southwark*.

Preamble.

WHEREAS the Villages of *Camberwell* and *Peckham*, within the Parishes of *Camberwell* and *Lambeth*, in the County of *Surrey*, are large and populous, and daily increasing in Houses and Inhabitants, and are not properly lighted and watched; and it would be a great Benefit to the Inhabitants thereof, and to all Persons resorting thereto, if the said Villages, and certain Roads herein after described (being within the said Parishes), were properly lighted and watched; and if a Foot Patrole was employed in the Night-time on the Road or Path which leads from the said Village of *Peckham*, over certain Fields, called *The North Fields*, to *Blackman-street* in the Borough of *Southwark*: And whereas the Inhabitants and Owners of Houses within the said Villages, and on or near the Sides of the several Roads herein after described, are willing and desirous that a Rate should be raised upon themselves for the several Purposes aforesaid; but the same cannot be done without the Aid 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 Sir *Joseph Mawbey* Baronet, *James Scawen*, *Claud Champion Crespiigny* Doctor of Laws, *William Shard*, *Thomas Jephson*, *Isaac Heaton*, *Thomas Hooke*, *John Baker*, *Robert Serrell*, *George Jeffrey*, *Henry Hilton*, *John Fassett*, *James Woodbridge*, *Henry Revely*, *Thomas Frazer*, *Robert Shank*, *Thomas Nash*, *Henry Maundy*, *Samuel Mason*, *Thomas Smith*, *Richard Henshaw*, *Robert Franklin*, *Francis Hahn*, *Charles Bartrum*, *James Mill*, the Reverend *Richard Jones*, *Joseph Sill*, *Miles Stringer*, *Pbilip King*, *John Wells*, *Henry King*, *George Brucker*, the Reverend *Richard Dodd*, *William Osborn*, *Nicholas Nixon*, *Edward Clark*, *Josiah Monnery*, *Thomas Preston*, *Richard Lawrence*, *John Mason*, *John Wright*, *William Tanner*, *Edward Shewell*, *John Castle*, *Samuel Goodman*, *Ono Titchiner*, *Edward Gardner*, *Oswald Strong*, *John Daniels*, *Samuel Payne*, *Henry Fergussan*, and the Vicar of the Parish of *Camberwell* for the Time being, shall be, and they are hereby appointed Trustees for putting this Act in Execution.

Commissioners
appointed.

II. And

II. And be it further enacted, That when any of the said Trustees, herein named or hereafter to be elected, shall die, resign, or refuse to act, or shall remove out of the Limits of this Act, or otherwise shall become disqualified to act, that then, and in any of the Cases aforesaid, it shall and may be lawful for the surviving or remaining Trustees, or any five or more of them, at any of their Meetings, from Time to Time to elect and appoint one other fit Person residing within the Limits of this Act to be a Trustee, in the Stead of every Trustee so deceased, resigning, refusing to act, removing, or becoming any-wise disqualified as aforesaid; and every such Person, so from Time to Time elected and appointed, shall be joined with the surviving or remaining Trustees, and is hereby impowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample Manner as if such Person had been particularly named and appointed in and by this Act.

When Trustees die, or refuse to act, &c. others to be chosen.

III. Provided always, That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless, at the Time of his acting therein, he shall be resident within the Limits of this Act, and shall be seized in his own Right, or in Right of his Wife, and be in the actual Possession or Receipt of Rents and Profits of a real Estate in Law or Equity of the clear yearly Value of twenty Pounds above Reprises; or unless such Person shall rent or occupy Tenements or Hereditaments within the said Villages, or either of them, of the yearly Value of twenty Pounds: And if any Person or Persons hereby made incapable to act, shall presume to act in the Trusts aforesaid, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds, to be recovered in any of his Majesty's Courts of Record at *Westminster*; and every Person so prosecuted, or against whom such Action shall be brought, shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof given on the Part of the Plaintiff or Plaintiffs in such Action, than that such Person hath acted as a Trustee in the Execution of this Act; and the Money to be recovered in such Action shall, after Payment of the Costs and Expences attending such Action, be applied to the Purposes of this Act.

Qualification of Trustees.

Penalty on Persons acting if not qualified.

IV. And be it further enacted, That the said Trustees, or any five or more of them, are hereby authorised and impowered to meet at the *Golden Lion* in *Camberwell*, on the third *Monday* next after the passing of this Act, and shall proceed to the Execution of this Act; and shall then, and from Time to Time afterwards, adjourn themselves, and meet there, or at such other Place or Places within the said Villages of *Camberwell* or *Peckham*, as the said Trustees, or any five or more of them, shall think most convenient, as often as it shall be necessary for putting this Act in Execution.

Time and Place of the first Meeting of Trustees.

V. And be it further enacted, That the said Trustees, or any five or more of them, are hereby authorised and impowered to cause the several Streets, Squares, Lanes, Yards, Alleys, Passages, and Places, within the said Villages of *Camberwell* and *Peckham*, and likewise the several Roads herein after mentioned and described, to be properly lighted and watched; (that is to say,) The Road from the North End of the said Parish of *Camberwell* next the Turnpike at *Walworth* to the Village of *Camberwell* aforesaid; and also a Road called *Coal Harbour Lane*, leading from *Camberwell* aforesaid to a Place called *Coal Harbour*, in the said Parish of *Lambeth*; and also the Road leading from the South End of *Camberwell* aforesaid to a House known by the Name of *The Fox under the Hill*; and also the Road leading from *Camberwell* aforesaid to the Village of *Peckham* aforesaid, and from the said Village of *Peckham* to the East End of the said Parish of *Camberwell*; and also any other Road or Place, situate or being within the Distance of a Furlong from the Sides of any of the Roads herein before mentioned and described within the said Parishes, whereon there now are, or may hereafter be, any Houses or Buildings erected or built.

Streets, Squares, Roads, &c. to be lighted and watched.

VI. Provided always, That nothing in this Act contained shall be construed to compel the said Trustees to light or watch any of the Places within the Limits aforesaid, called *Little Orchard Row*, and *Smith's Row*, or beyond the *Grove-house*, in *Grove-lane*, *Camberwell*, or certain Places called *Dowdals*, otherwise *Dowlas-lane*, *Winchester-yard*, and *Cow-walk*, or beyond the House of *Isaac Heaton* Esquire in *South-street*, and the House of *Elizabeth Shard* in *Shard's Lane*, in the said Village of *Peckham*; or the Road beyond the House in the Occupation of *Barnard Turner*, called *The Mince-pie-house*, on the South Side of the said Lane, leading to *Coal Harbour* from *Camberwell* aforesaid; or the Road beyond the House in the Occupation of *James Mill*, leading from *Camberwell* aforesaid to *Dulwich*; or the Road beyond the House in the Occupation of *Thomas Hodgson*, at the East End of *Peckham* aforesaid, unless the said Trustees, or any five or more of them, shall at any Time hereafter think it necessary and proper that those Places, or any Part or Parts thereof, should be lighted and watched.

Trustees not compellable to light or watch certain Places.

VII. And be it further enacted, That the said Trustees shall cause all their Proceedings relating to the Execution of this Act from Time to Time to be entered in a Book to be kept by them for that Purpose, and may (if they shall think fit) appoint a Clerk or Clerks for that Purpose; and the said Trustees, or any five or more of them, may also from Time to Time appoint such Collector or Collectors, and such other Officer or Officers as they shall think proper to employ in the Execution of this Act; and shall and may from Time to Time make such Allowances to all such Clerks, Collectors, and other Officers, for their Trouble and Attendances in the Execution of this Act, as the said Trustees, or any five or more of them, shall, at any of their General Meetings, from Time to Time think fit; and shall and may also (if they think fit) appoint a Treasurer or Treasurers, for the Receipt of the Money to be raised and collected by the Rates or Assessments to be made by virtue of this Act; and every such Treasurer or Treasurers, so to be appointed, is and are hereby directed and required to account to the said Trustees, at the End of every three Months (or oftener, if required by the said Trustees, or any five or more of them), for all Monies by him or them received and disbursed by virtue of this Act, and to pay such Money as upon the said Account shall appear to be remaining in his or their Hands, to such Person or Persons as the said Trustees, or any five or more of them, shall appoint to receive the same, to be applied to and for the several and respective Uses and Purposes for which the same shall be raised or levied.

Trustees may appoint Officers,

and make them Allowances for their Trouble.

Treasurer to account every three Months.

VIII. Provided always, That the said Trustees shall take such Security from their Treasurer or Treasurers, and other Officers, for the due Execution of their respective Offices, as the said Trustees, or any

Officers to give Security.

No Victualler, &c. to hold the Place of Clerk, &c.

five or more of them, shall think fit; but no Salary or Allowance whatsoever shall be made to any Treasurer or Treasurers upon any Account or Pretence whatsoever; but no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, shall be capable of holding the Place of Clerk, or any Place or Office under this Act.

Meetings to be held annually.

IX. And, in order that a sufficient Sum of Money may from Time to Time be raised for the Purposes of this Act, be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall, and they are hereby authorized and required to meet in some convenient Place within the Villages of *Camberwell* or *Peckham*, upon the third *Monday* next after the passing of this Act, and shall also meet annually upon the first *Monday* next after the Feast of *Saint John the Baptist*, or within seven Days afterwards, at such Time and Place as they, or any five or more of them, shall think fit; Notice of the Time and Place of every such annual Meeting being first given in the Parish Church of *Camberwell* aforesaid on the *Sunday* next before every such Meeting; and the said Trustees, or any five or more of them, shall, and are hereby authorized and required, at their first Meeting to be holden as aforesaid, and also at all subsequent annual Meetings which shall be held in pursuance of this Act, to make a Pound-rate, to be equally assessed (towards defraying the Expences attending the watching and lighting the said Villages and the several Roads and Places aforesaid, and of employing the said Foot Patrole, and all other the Charges and Expences attending the obtaining of this Act, and the Execution thereof) upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, or enjoy, any House, Shop, Warehouse, or other Building, Garden, Tenement, or Hereditament, situate within the said Villages of *Peckham* and *Camberwell*, or either of them, or within or upon any of the Roads to be lighted and watched as aforesaid, within the Distance of a Furlong from each Side of any of the said Roads; and also upon all and every other Person or Persons who by Law is, are, or shall be, chargeable and assessable for and towards the Relief of the Poor within the Limits of this Act, according to the real improved Rent or Value of every such House, Shop, Warehouse, or other Building, Garden, Tenement, or Hereditament aforesaid (except as herein after is excepted), for such Sum and Sums of Money as the said Trustees, or any five or more of them, assembled at their first Meeting, or at any of their annual Meetings, shall order, direct, and appoint; and the said Rates or Assessments shall be signed by any five of the said Trustees, and shall be paid quarterly.

Trustees, at annual Meetings, to make a Pound-rate, to be assessed on the Inhabitants.

Rates not to exceed 2 s. in the Pound.

X. Provided always, That no Rate or Assessment directed to be made as aforesaid, shall exceed in the Whole the Sum of two Shillings in the Pound in any one Year, of the yearly Rent of such Houses, Shops, Warehouses, or other Buildings, Gardens, Tenements, or Hereditaments, as aforesaid.

Persons under 10 l. yearly Rent, &c. exempted from Rates.

XI. Provided also, That all Persons who do or shall occupy Tenements under the yearly Sum of ten Pounds improved Rent, and who subsist only by their manual Labour, and do not keep an open Shop for the Sale of Goods, Wares, or Merchandises, shall be freed and exempted from the Payment of the said Rates, or any Part thereof; any Thing contained in this Act to the contrary notwithstanding.

Trustees to appoint Collectors

XII. And be it further enacted, That such Person or Persons as the said Trustees, or any five or more of them, shall by Writing under their Hands and Seals appoint for that Purpose, shall be, and they are hereby appointed Collector or Collectors of the said Rates or Assessments; and the said Collector or Collectors is and are hereby authorized, impowered, and required, to collect and levy the same accordingly: And for the better enabling such Collector or Collectors to collect and levy the said Rates or Assessments, it shall and may be lawful to and for the said Collector or Collectors to execute all such Warrants of Distress as shall be granted from Time to Time by any Justice of the Peace of the said County of *Surrey*, against any Person or Persons who ought to pay the said Rates or Assessments, and who shall neglect or refuse to pay the same, in the same Manner, and as effectually to all Intents and Purposes, as Overseers of the Poor, by any Law or Laws now in being, can or may execute Warrants of Distress granted by Justices of the Peace.

Their Powers.

Collectors to account to Trustees,

XIII. And be it further enacted, That the said Collector or Collectors, and each of them, shall, and he and they is and are hereby required to make up, and render upon Oath to the said Trustees, or any five or more of them, at some public Meeting to be held in pursuance of this Act, as often as thereunto required by the said Trustees, or any five or more of them, a full, true, and perfect Account in Writing, of all Monies collected and received by him or them by virtue of this Act, and of all Monies rated or assessed and not received; and to pay over the Monies so by him or them collected and received, and remaining in his or their Hands, to such Person or Persons as the said Trustees, or any five or more of them, present at any such public Meeting, shall, by Writing under their Hands, appoint to receive the same, to be applied for the several Purposes of this Act, according to the true Intent and Meaning thereof: And if the said Collector or Collectors shall refuse or neglect to give in a just Account as aforesaid, or to pay the Monies remaining in his or their Hands in Manner as aforesaid, he and they shall be subject and liable to such and the like Punishment as Overseers of the Poor are for Offences of the like Sort subject and liable to.

and pay all Monies collected to Persons appointed to receive the same.

Penalty.

XIV. And be it further enacted, That in case any Person or Persons so rated or assessed, or charged or chargeable, and made liable as aforesaid, shall refuse or neglect to pay any such Rates or Assessments to the Collector or Collectors for the Space of three Days after personal Demand thereof made, or demanded in Writing left at the last or usual Place of Abode of such Person or Persons, it shall and may be lawful to and for any one or more Justice or Justices of the Peace acting for the said County of *Surrey*, upon the Oath of one or more credible Witness or Witnesses (all which Oaths he and they is and are hereby impowered and required to administer without Fee or Reward) of such Demand and Non-payment, by Warrant under his or their Hand and Seal or Hands and Seals (all which Warrants he and they is and are hereby impowered and required to grant), to authorize and direct the said Collector or Collectors to levy such Rate or Money so in Arrear, together with the Costs and Charges attending the same, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of every such Person and

Rates not paid within three Days after Demand, may be levied by Distress.

and Persons so in Arrear, and neglecting or refusing to pay as aforesaid, rendering the Overplus (if any be) to the Owner or Owners of such Goods and Chattels, on Demand.

XV. And, for the more effectual levying the Money rated and assessed for the several Purposes of this Act, be it further enacted by the Authority aforesaid, That the Goods and Chattels of any Person rated or assessed as aforesaid, and neglecting or refusing to pay the same, shall and may be distrained in Manner aforesaid, not only within the Limits of this Act, but in any other Place in the County of Surrey; and if sufficient Distress cannot be found within the same County, then upon Oath thereof made before any one or more Justice or Justices of the Peace of any other County, City, Liberty, or Place (which Oath shall be certified under the Hand of the said Justice or Justices on the Warrant made for such Distress), the Goods and Chattels of the Person so refusing or neglecting to pay shall be subject and liable to such Distress in such other County, City, Liberty, or Place, where the same shall be found, and may, by virtue of such Warrant and Certificate, be distrained and sold in the same Manner, as if the same had been found within the Limits of this Act.

Goods, &c. may be distrained in any Place for Non-payment of Rates.

XVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or any five or more of them, from Time to Time, as they shall judge fit and necessary, at any of their Meetings to be held in pursuance of this Act, to compound with, or in Part or wholly to remit to, any Person or Persons so rated or assessed as aforesaid, and who shall or may at any Time hereafter be exempted from or excused the Payment of the Church and Poor's Rates, or either of them, within the Limits of this Act, all such Sum or Sums of Money which he or they shall be so rated or assessed as aforesaid.

Trustees may compound, &c. with Persons unable to pay.

XVII. And be it further enacted, That in case any Collector of the said Rates and Assessments shall embezzle, detain, or misapply, any Sum or Sums of Money which shall be so collected by him, so that the same cannot be recovered from him, or shall be possessed of any Sum or Sums of Money by him collected by virtue of this Act, and which shall not be paid or recovered from his Executors or Administrators for the Space of forty Days after his Death; then, and in every such Case, all such Sums of Money shall be raised by a new Rate or Assessment to be made for that Purpose on the Inhabitants of the said Villages and other Places within the Limits of this Act; and shall be collected and levied in such Manner, and under such Penalties, as are herein before provided for the collecting and levying the Rates and Assessments which shall be made in pursuance of this Act.

If Collectors embezzle Money collected, Deficiency to be raised by a new Rate.

XVIII. And, in order that a sufficient Sum of Money may be forthwith raised to defray the Expences of lighting and watching the said Villages, and the several Roads and Places aforesaid, be it further enacted, That it shall and may be lawful for the said Trustees, or any five or more of them, from Time to Time to borrow any Sum or Sums of Money for the Purposes of this Act, not exceeding in the Whole the Sum of five hundred Pounds, at Interest not exceeding five Pounds per Centum per Annum; and to assign over by Writing, signed by any five or more of the said Trustees, all or any Part of the said Rates or Assessments, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed; and all such Assignments or Securities as aforesaid shall be in Words to the following Effect:

Trustees impowered to borrow 500 l.

and to assign the Rates as a Security.

BY virtue of an Act, made in the sixteenth Year of the Reign of his Majesty King George the Third, for lighting and watching the Villages of Camberwell and Peckham, in the County of Surrey, and certain Roads therein mentioned leading thereto; and for establishing a Foot Patrole between Peckham and Blackman-street in the Borough of Southwark; we for putting the said Act in Execution, do assign to and Assigns, in consideration of the Sum of of with Interest, at the Rate of per Centum per Annum, shall be repaid, such Proportion of the Rates or Assessments to be rated or assessed by virtue of the said Act, as the said Sum of shall bear to the whole Sum advanced on the Credit of the same.

Form of Assignment.

of the Trustees his Executors, Administrators, from this Day

Copies of Securities to be entered in a Book.

Securities may be transferred.

And Copies of all such Securities shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; but no Money shall be borrowed after such first Meeting, unless Notice for that Purpose be given in Writing, to be affixed upon the Church Door of Camberwell aforesaid, at least fourteen Days before the borrowing thereof; and all and every Person and Persons to whom any such Security or Securities shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may, from Time to Time, by Writing under his, her, or their Hand and Seal or Hands and Seals, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured, to any Person or Persons whomsoever, by Indorsement on the Back of such Security in the Presence of one credible Witness; which Transfer or Assignment shall be to the following Effect:

I DO transfer this Assignment, with all my Right and Title to the Principal and Interest thereby secured, unto his (or her) Executors, Administrators, and Assigns. In Witness whereof, I have hereunto set my Hand and Seal, this Day of

Form of Transfer.

A. B.'

Which said Transfers or Assignments shall be produced and notified to the Clerk to the said Trustees (in case a Clerk shall be appointed), or, if no Clerk shall be appointed, then to any one or more of the said Trustees, to the End an Entry or Memorial may be made of such Assignment or Transfer in the Books of the said Trustees; which Entry shall contain the Dates, Names of the Parties, and Sums of Money, for which the said Clerk (in case a Clerk shall be appointed) shall be paid such Sum as the said Trustees, or any five or more of them, shall appoint, not exceeding the Sum of two Shillings and Sixpence; and after

All Transfers to be entered in Books.

such Entry made, and not till then, such Assignment shall entitle such Assignee, his or her Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may, in the like Manner, assign again, and so *toties quoties*; and it shall not be in the Power of the Person or Persons making such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and all and every Person and Persons to whom any such Security or Securities shall be made as aforesaid, shall be, in proportion to the Sum or Sums therein mentioned, Creditors on such Rates or Assessments in equal Degree one with another, and shall have no Preference with respect to the Priority of advancing such Monies, or the Dates of such Assignments.

All Assignees
Creditors in
equal Degree.

Money borrowed
to be charged on
the Rates.

Trustees may
cause the Vil-
lages, &c. to be
lighted; and
may appoint
Watchmen,

and two Super-
visors of the
Watchmen, &c.

Expences of Pa-
trole not to ex-
ceed 31 l. 70s.
in any one Year.

Two Commit-
tees to be ap-
pointed, who are
to meet weekly.

Persons wilfully
breaking Lamps,
&c. to forfeit
20s. for each
Offence, and
make good the
Damage;

or to be com-
mitted.

Penalty on Per-
sons accidentally
breaking Lamps,
&c.

XIX. And be it further enacted, That all and every the Sum and Sums of Money to be advanced and lent, and the Interest thereof, shall be and are hereby charged upon, and shall be paid and payable from Time to Time out of, the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act.

XX. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, may and are hereby empowered from Time to Time to cause the said Villages and the said Roads and Places herein before described to be lighted for such Time and Times, and in such Manner and by such Ways and Means, as they, or any five or more of them, shall judge proper and convenient; and shall and may also appoint such Number of able-bodied Men (to be armed and clothed in such Manner as the said Trustees, or any five or more of them, shall direct) to be employed as Watchmen in the Night-time, for the Safety of the Inhabitants residing within the Limits of this Act; and to patrole and guard the Road and Foot Path which leads from *Peckham* over the said North Fields to *Blackman-street* aforesaid, for the Security of Passengers in the Night-time; and all such Watchmen and Patrole shall attend from Time to Time, and at such Times and Places, and perform such Duty as the said Trustees, or any five or more of them, shall order, direct, and appoint; and may cause to be erected Watch-boxes for such Watchmen at such Places as they shall judge necessary; and the said Trustees, or any five or more of them, may also appoint two proper Persons to be Supervisors of such Watchmen and Patrole; which Persons so to be appointed Supervisors shall be and are hereby empowered to act as Constables for the Purpose of carrying this Act into Execution; and the said Trustees, or any five or more of them, may remove any or all such Watchmen and Supervisors from Time to Time as they shall see Cause, and appoint others in the Room of such of them as shall be so removed; and shall and may apply so much of the said Rates or Assessments, or of the Money to be borrowed or raised on the Credit thereof, as shall be necessary for the several Purposes aforesaid.

XXI. Provided always, That no more shall be paid in any one Year, out of the Rates and Assessments to be raised by virtue of this Act, than the Sum of thirty-two Pounds ten Shillings, towards defraying the Expence which will attend the employing a Patrole between *Peckham* and *Blackman-street* as aforesaid.

XXII. And be it further enacted by the Authority aforesaid, That for the better regulating the said nightly Watch and Patrole, the said Trustees, at all their annual Meetings, may elect and chuse a Committee from among themselves of ten Trustees, to serve for the following Year, five of whom shall act as a Committee, to meet at some convenient Place in the said Village of *Camberwell* weekly on every *Wednesday* Evening, and the other five of them shall act as a Committee, to meet at some convenient Place in the said Village of *Peckham* on the same Day; and any two or more of them, at each or any of such weekly Meetings, shall and may, as they shall see Cause, remove, discharge, or suspend, any of the Watchmen or the said Patrole to be appointed and employed by virtue of this Act; and shall and may, at any such weekly Meetings, appoint others in the Room of such of them as shall be so removed or suspended.

XXIII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or damage, any of the Lamps that shall be set up for lighting the said Villages, and the several Roads and other Places within the Limits of this Act, or shall wilfully extinguish the Light or Lights thereof, or damage the Irons, Posts, or other Furniture belonging to such Lamps; it shall and may be lawful to and for any Person or Persons whomsoever, who shall see such Offence committed, to seize, and also for any other Person or Persons to assist in seizing 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 County of *Surrey*; 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 (which Oath such Justice is hereby authorized and required to administer); 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 Trustees for the Time being, the Sum of twenty Shillings (whereof One Moiety shall be paid to the Informer, and the other Moiety be applied for the Purposes of this Act), and shall also make Satisfaction to the said Trustees, or to such Person or Persons as they, or any five or more of them, 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 Justice is hereby required to commit him, her, or them, to the Bridewell or House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Space of Time not exceeding one Calendar Month; 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 and given.

XXIV. And be it further enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage, any of the Lamps so to be set up as aforesaid, or the Irons, Posts, or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction to the said Trustees for the

the Damage done thereto; then, and in every such Case, it shall and may be lawful for any one Justice of the Peace for the said County of *Surrey*, upon Complaint made to him by one or more credible Witnesses or Witnesses, to summon before him the Person or Persons who shall be complained of for doing such Damage; and such Justice may thereupon award such Sum or Sums of Money by way of Satisfaction for such Damage as to him shall appear reasonable; and in case of Neglect or Refusal of the Party or Parties to pay such Sum or Sums of Money so awarded, within three Days after Demand thereof, such Justice may cause the same to be levied by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

XXV. And, for the better carrying the Purposes of this Act into Execution, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorized and empowered from Time to Time (if they think fit) to contract with any Person or Persons for lighting the said Villages, and the Roads and other Places within the Limits of this Act; all which Contracts shall specify the Number of Lamps to be set up, and how long and in what Manner the same shall be kept burning, and the Prices to be paid for the same, and the Penalties to be suffered in case of Non-performance of such Contract or Contracts; and the same shall be signed by the said Trustees, or any five or more of them, and by the Person or Persons contracting to perform such Works; and the said Trustees, or any five or more of them, are hereby authorized and empowered to pay such Sum or Sums of Money for such respective Works, as they shall so contract and agree for, out of any of the Rates or Assessments which shall be made, raised, or collected, by virtue of this Act.

Trustees may contract for lighting the Villages, &c.

XXVI. And be it further enacted by the Authority aforesaid, That in case any Person or Persons who shall enter into such Contract with the said Trustees, or any five or more of them, for performing any of the Works before mentioned, and who shall not well and sufficiently perform the same, according to the true Intent and Meaning of such Contract or Contracts, and within the Time limited thereby, that then it shall and may be lawful to and for the said Trustees, or any five or more of them, in the Name of their Clerk or Treasurer, to bring an Action of Debt in any of his Majesty's Courts of Record at *Westminster* against any Person or Persons so contracting and making Default as aforesaid, for the Penalty or Penalties which shall be contained in such Contract or Contracts; and the said Trustees, or any five or more of them (upon Proof of such Contract or Contracts having been entered into and not performed), shall be intitled to and shall recover such Penalty or Penalties; and the same, when recovered, shall be applied towards the Purposes of this Act.

If Contracts not duly fulfilled, Contractors may be sued, &c.

XXVII. And be it further enacted, That the Right and Property of all Lamps, Lamp-irons, Posts, and other Furniture thereof, which shall be erected or fixed by virtue of this Act, and of the Arms and Accoutrements for the Watchmen and Patrole, and also of the Watch-boxes to be erected as aforesaid, shall be, and the same are hereby vested in the said Trustees; and they, or any five or more of them, are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions in the Name of their Treasurer or Clerk for the Time being, or to prefer any Bill or Bills of Indictment (as the Case may require), against any Person or Persons who shall break, spoil, injure, damage, steal, take, or carry away, any of the said Lamps, Lamp-irons, Posts, or other Furniture, or any of the Watch-boxes, or the Arms or Accoutrements of any of the said Watchmen.

Property of Lamps, &c. vested in the Trustees.

XXVIII. And be it further enacted, That in all Cases where the said Trustees, or any five or more of them, are empowered to do any Act whatsoever by virtue of this Act, other than and except the Weekly Meetings for the Purposes aforesaid, the same shall be done at some public Meeting of the said Trustees to be held in pursuance of this Act, and not otherwise; and whenever it shall happen, at any such Meeting, that there shall be an Equality of Votes of the said Trustees then present, the Chairman in every such Case shall have the Casting-vote.

All Business (except as excepted) to be done at public Meetings.

XXIX. Provided always, That two Trustees shall be sufficient to meet for the Purpose of Adjournment only; and in case it shall at any Time happen that no Adjournment of the Trustees shall be made according to the Directions of this Act, that then, and in every such Case, as often as it shall so happen, it shall and may be lawful for the said Trustees, or any five or more of them, to meet at any House or Place within the said Villages, or either of them (ten Days Notice in Writing being first affixed upon the Church Door of *Camberwell*, appointing the Time and Place of such Meeting); and the said Trustees, or any five or more of them, shall, and they are hereby authorized and empowered to meet pursuant to such Notice, and shall proceed to the Execution of this Act, and afterwards from Time to Time adjourn to such Time and Place as they shall think fit.

How to proceed in case of no Adjournment.

XXX. And be it further enacted, That it shall and may be lawful for any Trustee appointed, or to be appointed, to put this Act in Execution, who is or shall be in the Commission of the Peace for the County of *Surrey*, to act as a Justice of the Peace within his Jurisdiction for putting in Execution the several Powers and Authorities granted by this Act, notwithstanding his being a Trustee.

Trustees who are Justices, may act as such for the Purposes of this Act.

XXXI. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

Writings to be without Stamps.

XXXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves aggrieved, by any Rate or Assessment to be made as aforesaid, he, she, or they, shall notwithstanding be obliged to pay such Rate or Assessment, and then, upon an Appeal to the General Quarter Sessions of the Peace to be holden for the said County of *Surrey* next after the Payment of such Rate or Assessment, or next after the making the Distress for such Rate or Assessment (fourteen Days Notice of such Appeal being first given to the said Trustees), it shall and may be lawful for the Justices of the Peace,

Persons aggrieved may appeal to the Quarter Sessions.

Peace, or the major Part of them then assembled, to cause so much Money to be returned to the Appellant or Appellants, as shall appear to the said Justices to have been overpaid by such Appellant or Appellants respectively, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to all Parties: And also if any Person or Persons shall think him, her, or themselves aggrieved by any other Thing done in pursuance of this Act, he, she, or they, may appeal as aforesaid, within six Calendar Months next after the Cause of Complaint shall arise; and it shall and may be lawful for the said Justices, or the major Part of them, assembled in such Sessions, to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them in their Discretion shall seem reasonable; and by their Order or Warrant to levy the Costs which 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 of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale; all which Determinations of the said Justices shall be final and conclusive to all Parties concerned.

whose Determination shall be final.

Proceedings not to be quashed for Want of Form, nor removeable by Certiorari, &c.

XXXIII. And be it further enacted, That no Order, Conviction, Judgment, or other Proceeding to be had or made in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding: And when any Distress shall be made for any Sum or Sums of Money to be levied by 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, Notice, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damages in an Action upon the Case.

No Plaintiff to recover, if Tender of Amends shall be made.

Limitation of Actions.

XXXIV. Provided always nevertheless, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity as aforesaid, Trespass, or other wrongful Proceeding, by virtue of this Act, if Tender of Amends shall be made by or on Behalf of the Party or Parties who shall or may commit, or cause to be committed, any such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought.

General Issue.

XXXV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of this Act, such Action shall be commenced within six Calendar Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Surrey*, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act: And if it shall appear to be so done, or if any such Action or Suit shall not be brought within the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.

Public Act.

XXXVI. And be it further enacted by the Authority aforesaid, 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, without specially pleading the same.

C A P. XXVII.

An Act for better cleansing, lighting, and watching the Streets, Lanes, and other public Passages, within the Borough of *Dorchester*, in the County of *Dorset*, and in the Tithing of *Colliton-row*, in the Town of *Dorchester* aforesaid; for paving the Footways and repairing certain Horseways of such Parts thereof as are Turnpike; and for paving the Footways and repairing the Horseways of such Parts thereof as are not Turnpike; for removing Nuisances, Annoyances, and Obstructions therein; and for preventing Houses or Buildings, hereafter to be erected in the said Borough and Tithing, from being thatched.

C A P. XXVIII.

An Act for making and maintaining a navigable Canal from or near the Town of *Stourbridge*, in the County of *Worcester*, to join the *Staffordshire* and *Worcestershire* Canal, at or near *Stourton*, in the County of *Stafford*; and also two collateral Cuts, one from a Place called *The Fens*, upon *Pensnet-chace*, to communicate with the intended Canal near the Junction of *Wordestey-brook* with the River *Stour*; and the other from a Place called *Black Delpb*, upon the said Chace, to join the first-mentioned collateral Cut at or near certain Lands called *The Lays*, in the Parish of *Kingswinford*, in the said County of *Stafford*.

Preamble.

WHEREAS the making a Canal for the Navigation of Boats, Barges, and other Vessels, from or near the Town of *Stourbridge*, in the County of *Worcester*, through the several Parishes of *Oldswinford*, *Kingswinford*, and *Kinsfare*, in the Counties of *Stafford* and *Worcester*, to join the *Staffordshire* and *Worcestershire* Canal, at or near a Place called *Stourton*, in the said County of *Stafford*; and also the making two collateral Cuts, one from a Place called *The Fens*, upon *Pensnet-chace*, through the said Parish of *Kingswinford*, to communicate with the said intended Canal near the Junction of *Wordestey-brook* with

the River *Stour*; and the other from a Place called *Black Delpb*, upon other Part of *Pensnet-chace*, to or near *Bague's* Glass-houses in *Brettell-lane*, and from thence to certain Collieries called *The Moors*, and to or near certain Lands called *The Lays* in the said Parish of *Kingswinford* in the said County of *Stafford*, there to join and communicate with the said first-mentioned collateral Cut, will render the Carriage of Coal, Ironstone, and Limestone, from several Mines in that Part of the Country, much easier and cheaper than at present, which will be of great Advantage to the Trade and Manufactures of the said Town of *Stourbridge* and Parts adjacent, and to the several Counties of *Worcester*, *Gloucester*, *Hereford*, and *Warwick*, and also to other Parts of the Kingdom, and will be of public Utility: And whereas the several Persons herein after named are desirous, at their own proper Costs and Charges, to make and maintain the said Canal and collateral Cuts, but cannot effect the same without the 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 Right Honourable *George Harry* Earl of *Stafford*, the Right Honourable *John* Lord Viscount *Dudley* and *Ward*, the Right Honourable Lady Viscountess Dowager *Dudley* and *Ward*, the Honourable *William* *Ward*, Sir *John* *Wrottesley* Baronet, *John* *Foster*, *John* *Foster* junior, *Edward* *Russell*, *John* *Becher*, *Oliver* *Dixon*, *John* *Pidcock*, *Joseph* *Robins*, *Thomas* *Hill* junior, *George* *Ensell*, *Sampson* *Freeth*, *William* *Moseley*, *Abiather* *Hawkes*, *Thomas* *Barnsley*, *Charles* *Harris*, the Executors of *Thomas* *Raybould* deceased, *Thomas* *Raybould*, *Samuel* *Ray*, *William* *Scott*, *Benjamin* *May*, *Jonathan* *Stokes*, *Benjamin* *Pratt*, *Robert* *Honeyborne*, *Richard* *Aston*, *John* *Southwell*, *Thomas* *Smallman*, *Walter* *Bradley*, *Dionisius* *Bradley*, *George* *Crow*, *Thomas* *Dudley*, *Richard* *Croft*, *Benjamin* *Brettell*, *Francis* *Homfray*, *Frances* *Homfray*, *Rachel* *Vernon*, *Elizabeth* *Cardale*, *John* *Keeling*, *John* *Iddins*, *John* *Parker*, *Susanna* *Brettell*, *Joseph* *Harper*, *John* *Francis*, *Francis* *Witton*, *Mary* *Gill*, *Thomas* *Hornblower*, *George* *Jellicoe*, *Martha* *Nicholls*, *Edward* *Hickman*, *Frances* *Dovey*, *Other* *Philpott*, *John* *Gibbons*, *Edward* *Dixon*, *Irac* *Pratt*, *Jeremiah* *Brettell*, *Josiah* *Ruston*, *Thomas* *Talbot* *Foley*, *Frances* *Henzey*, *John* *Richards*, *Daniel* *Winwood*, *Thomas* *Savage*, *Robert* *Morgan*, *William* *Jones*, *James* *Keir*, *John* *Watson*, *Thomas* *Foley*, *Wilson* *Aylebury* *Roberts*, *James* *King*, and *Thomas* *Robinson*, their several and respective Successors, Executors, Administrators, and Assigns, together with such Person or Persons as they, or the major Part of them, assembled at any General Meeting, to be held as herein after mentioned, shall nominate and appoint under their Hands and Seals, are and shall be united into a Company, for the better carrying on, making, and maintaining, the said Canal, and collateral Cuts, according to the Rules, Orders, and Directions herein after prescribed; and shall for that Purpose be one Body Politic and Corporate, by the Name of *The Company of Proprietors of the Stourbridge Navigation*; and by that Name shall have perpetual Succession, and shall have a Common Seal; and by that Name shall and may sue and be sued; and also shall have Power and Authority to purchase Lands, to them and their Successors and Assigns, for the Use of the said Navigation, without incurring any of the Penalties or Forfeitures of the Statute of *Mortmain*: And the said Company of Proprietors, their Successors and Assigns, shall and may, and they are her by authorized and impowered, from and after the passing of this Act, by themselves, their Deputies, Agents, Workmen, and Servants, to make and complete a Canal navigable and passable for Boats, Barges, and other Vessels, from or near the said Town of *Stourbridge*, to join and communicate with the said *Staffordshire* and *Worcestershire* Canal, at or near *Stourton* aforesaid; and which said Canal shall be made and carried in the Line and Direction herein after mentioned; (that is to say) That the said Canal shall begin and be made upon some Part of the Lands belonging to the Right Honourable *George Harry* Earl of *Stafford*, situate in *Amblecoat*, in the Parish of *Oldswinford*, in the County of *Stafford*, which adjoin to the Turnpike-road leading from *Stourbridge* to *Wolverhampton*, and be continued through other Part of the Lands belonging to the said Earl in *Amblecoat* aforesaid; and through or near to certain Lands belonging to *Thomas* *Foley*, *Edward* *Russell*, Esquires, and *John* *Addenbrooke* *Homfray* Gentleman, respectively in *Amblecoat* aforesaid; and from thence on the North-east Side of the River *Stour* through certain Lands lying in the Parish of *Kingswinford*, in the County of *Stafford* aforesaid, to or near a Brook called *Wordesley-brook* in the said Parish of *Kingswinford*; and from thence on the South Side of a certain Cut or Aqueduct leading to *Wire* mills belonging to *John* *Hodgetts* Esquire, at *Hascut*, in the Possession of *John* *Rivland*, through the said Parishes of *Oldswinford* and *Kinfare*, to or near *Stourton*, in the said Parish of *Kinfare*, in the County of *Stafford* aforesaid, there to join and communicate with the said *Staffordshire* and *Worcestershire* Canal; and the said Company of Proprietors, their Successors and Assigns, Deputies, Agents, Workmen, and Servants, shall, and are hereby also authorized and impowered to make and complete two collateral navigable Cuts; (that is to say) One from a Place called *The Fens*, upon *Pensnet-chace*, through the said Parish of *Kingswinford* on the South Side of *Wordesley-brook*, to communicate with the said intended Canal near the Junction of the said Brook with the River *Stour*; and the other collateral Cut from a Place called *Black Delpb* upon other Part of *Pensnet-chace*, to or near *Bague's* Glass-houses in *Brettell-lane*, and from thence through Land of *Robert* *Honeyborne* Gentleman, to certain Collieries called *The Moors*, and through Lands called *Meep* Lands, belonging to *John* *Foster* Esquire, to or near certain Lands called *The Lays*, in the said Parish of *Kingswinford*, in the said County of *Stafford*, there to join and communicate with the said first-mentioned collateral Cut; and to supply the said Canal, and collateral Cuts, whilst the same shall be making, and when made, with Water from all such Brooks, Springs, Streams, and Watercourses (except as herein after mentioned), as shall be found in making the said Canal and collateral Cuts, or within the Distance of one thousand Yards from any Part of the said collateral Cuts, or from any Reservoir or Reservoirs to be made, as is herein after mentioned, for supplying the said Canal and collateral Cuts with Water; and the said Company of Proprietors, their Successors and Assigns, are hereby also authorized and impowered, by themselves, and their Deputies, Agents, Servants, and Workmen, to make one or more Reservoir or Reservoirs at or near the Summit of the said collateral Cuts, and to erect one or more Engine or Engines, or other Machines, for the Purpose of supplying

Names of the Proprietors;

who are incorporated: Their Powers.

Course of the Canal and Cuts described.

Company of Proprietors impowered to supply the Canal with Water from the adjoining Brooks, &c.

to enter Lands
or Grounds to
take Surveys,
&c.

and to dig and
carry away
Stone, Gravel,
&c.

Company may
build Bridges,
Sluices, &c.

make Fences,

and Towing-
paths, &c.

doing as little
Damage as pos-
sible, and mak-
ing Satisfaction
for the same.

Company not to
dig Clay, &c. in
any Lands of
Mr. Hodgetts.

Proviso.

Proprietors not
authorized
(without the
Consent of Mr.
Hodgetts) to lay
Earth, &c. on
certain Places;

plying the said Canal and collateral Cuts with Water, and such and so many Feeders and Aqueducts for supplying the said Reservoirs and collateral Cuts with Water, as to them shall seem necessary or proper; and for the Purposes aforesaid, the said Company of Proprietors, their Successors and Assigns, and their Agents, Servants, and Workmen, are hereby authorized and impowered to enter into and upon the Lands and Grounds of or belonging to the King's Majesty, his Heirs or Successors, or of any other Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever (not being, upon the twenty-fifth Day of *March* one thousand seven hundred and seventy-five, the Ground whereon a House stood, or a Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, Lawn inclosed or adjoining to a Mansion-house, unless with the Consent of the Owners and Occupiers thereof respectively), and to survey and take Levels of the same, or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said Canal and collateral Cuts, and all such other Matters and Conveniences as they shall think proper and necessary for making, effecting, preserving, improving, completing, and using the intended Navigation; and also to bore, dig, cut, trench, fough, remove, take, carry away, and lay, Earth, Soil, Clay, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in the making of the said Canal and collateral Cuts, or in the making of any Reservoir or Reservoirs, Feeders or Aqueducts, or out of any Lands or Grounds of any Person or Persons adjoining, or lying contiguous thereto, and which may be proper, requisite, or convenient, for carrying on, continuing, or repairing, the said Canal and collateral Cuts, or which may hinder, prevent, or obstruct, the making, using, completing, and maintaining the same; and also to make, build, erect, and set up, in or upon the said intended Canal or collateral Cuts, or upon the Lands adjoining or near to the same respectively, such and so many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks, Reservoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, Fire-engines, or other Machines, and other Works, Ways, Roads, and Conveniences, as and where the said Company of Proprietors, their Successors and Assigns, shall think requisite and convenient for the Purposes of the said Navigation; and also from Time to Time to alter, repair, amend, widen, or enlarge the same, or any other of the Conveniences above mentioned, as well for the carrying or conveying Goods, Commodities, and other Things, to or from the said Canal and collateral Cuts, as for the carrying or conveying of all Manner of Materials necessary for the making, erecting, finishing, altering, repairing, amending, widening, or enlarging the Works of and belonging to the said Navigation; and also to place, lay, work, and manufacture the said Materials on the Grounds near to the Place or Places where the said Works, or any of them, shall be or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter, any Fences or Passages over, under, or through, the said Canal or collateral Cuts, or the Reservoirs, Tunnels, Aqueducts, Soughs, Trenches, Passages, Gutters, Watercourses, and Sluices, respectively which shall communicate therewith; and also to make, set up, and appoint, such Roads, Towing-paths, Banks, and Ways, convenient for towing, haling, or drawing, of Boats, Barges, or other Vessels, passing in, through, or upon, the said Canal and collateral Cuts, as they the said Company of Proprietors, their Successors and Assigns, shall think convenient; and to construct, erect, and keep in Repair, any Piers, Arches, or other Works, in, upon, and across, any Rivers or Brooks, for making, using, maintaining, and repairing, the said Canal and collateral Cuts, and the Towing-paths on the Sides thereof; and also to construct, erect, make, and do, all other Matters and Things which they shall think necessary and convenient for the making, effecting, preserving, improving, completing, and using the said Navigation, in pursuance and within the true Meaning of this Act; they the said Company of Proprietors, their Successors and Assigns, doing as little Damage as may be in the Execution of the several Powers to them hereby granted; and making Satisfaction in Manner herein after mentioned for all Damages to be sustained by the Owners or Proprietors of such Lands, Tenements, or Hereditaments, Waters, Watercourses, Brooks, or Rivers, respectively, as shall be taken, used, removed, diverted, or prejudiced, in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, their Successors and Assigns, and their Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted.

II. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to impower or authorize the said Company of Proprietors, their Successors or Assigns, or their Agents, Servants, or Workmen, or any of them, on any Account or Pretence whatsoever, to dig or get any Earth, Stone, Clay, or Soil, in any of the Lands or Grounds of or belonging to *John Hodgetts Esquire*, without the Consent of the said *John Hodgetts*, his Heirs or Assigns, first had and obtained, in Writing under his or their Hand or Hands (except what shall be necessary to be dug or gotten out of the Bed of the said Canal in cutting and making the same), or to make any Towing-path on the North Side of the said intended Canal, below the lowermost Lock to be erected and made on the said Canal, without such Consent as aforesaid.

III. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to impower or authorize the said Company of Proprietors, their Successors or Assigns, or their Servants, Agents, or Workmen, to carry or make the said Canal on the North or North-west Side of the aforesaid Cut or Aqueduct leading to the *Wire-mills* in the Possession of the said *John Ryland*, below the said Brook called *Wordefley-brook*.

IV. And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to impower or authorize the said Company of Proprietors, their Successors or Assigns, or their Servants, Agents, or Workmen, to lay any Earth or Soil (except Stone to be afterwards taken away) on the Ground lying between the said intended Canal and the said *Wire-mill Trench*, from the Watering-place below *Mistress Tiley's Farm-house*, for the Distance of three hundred and thirty Yards towards *Bell's Mill*, without the Consent of the said *John Hodgetts* in Writing first had and obtained.

V. Provided

V. Provided always, and be it further enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to impower or authorise the said Company of Proprietors, their Successors or Assigns, or their Agents, Servants, or Workmen, or any of them, to make any Part of the said intended Canal, or to join or communicate the same with the *Staffordshire* and *Worcestershire* Canal Navigation, within the Distance of thirty Yards of any Part of the Plantation that surrounds the Piece of Water belonging to the said *John Hodgetts* at *Hafcut*; but that the said Canal shall be carried, and the said Junction shall be made, at no less Distance than thirty Yards below any Part of the said Plantation, without the Consent of the said *John Hodgetts*, his Heirs and Assigns, first had and obtained in Writing, under his or their Hand or Hands.

VI. Provided also, and it is hereby enacted and declared by the Authority aforesaid, That it shall not be lawful for the said Company of Proprietors, their Successors and Assigns, or their Agents, Servants, or Workmen, or any of them, without the Consent in Writing of the said *John Hodgetts*, his Heirs or Assigns, to leave any Spoil or Earth on the Land of the said *John Hodgetts*, lying on the North-west Side of the Road leading from *Hafcut* to *Stewponney*, but the same shall be taken away by the said Company, their Successors and Assigns, at their own Expence, within twelve Months after the said Canal shall be made navigable as aforesaid; except such Part of the Spoil or Earth as shall be necessary for making the Locks, Towing-paths, and Banks, of the said Canal.

VII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to authorise or impower the Company of Proprietors therein named, or their Successors or Assigns, or the said *John Lord Viscount Dudley and Ward*, his Heirs or Assigns, or any or either of them, or any other Person or Persons whomsoever, to extend, on the contrary, they are hereby restrained from extending, at any Time, the Canal hereby authorised to be made, or the collateral Cuts thereto belonging, or any or either of them, to any Place or Places whatsoever, lying or being within the Distance of one Mile and an Half of the *Birmingham* Canal Navigation, or the collateral Cuts thereto belonging, or within the Distance of one Mile and an Half of any Part of them, or either of them, either by a Canal, Cut, Sluice, Tunnel, or otherwise howsoever; and also from making or extending, at any Time, any Cut, Sluice, Trench, or Tunnel, from the said *Birmingham* Canal or collateral Cuts, to the said Canal and Cuts hereby authorised to be made, or to any Part of them, or either of them, or within the Distance of one Mile and an Half of the said Canal and Cuts hereby authorised to be made, or any Part of them, or either of them, without the Consent of the Company of Proprietors of the said *Birmingham* Canal, or their Successors or Assigns, under their Common Seal, for that Purpose first had and obtained.

VIII. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to enable, authorise, or impower the Proprietors herein named, or their Successors or Assigns, or any other Person or Persons whomsoever, to take any Water from the said *Birmingham* Canal Navigation, or the collateral Cuts to the same belonging, or any Water from any Brooks, Springs, Streams, or Watercourses, that are now taken into, and which supply the said *Birmingham* Canal or collateral Cuts, or the Reservoirs made, or to be made, for the Accommodation of the same, or which the Proprietors of the said *Birmingham* Canal, their Successors or Assigns, have a Right to take into the said Canal and collateral Cuts or Reservoirs, under and by virtue of the Acts of Parliament made and passed with respect to such *Birmingham*-Canal, or to divert or otherwise to intermeddle with any such Water, Brooks, Springs, Streams, or Watercourses.

IX. Provided also, That it shall not be lawful for the said Company of Proprietors, their Successors or Assigns, or their Agents, Servants, or Workmen, or any of them, or any other Person or Persons whomsoever, who shall at any Time hereafter make any Cut, Sluice, or Communication whatsoever, with the said intended Canal or collateral Cuts, by virtue of the Powers contained in this Act, on any Account or Pretence whatsoever, to divert or take, for the Use or Supply of the said intended Canal, any Water from or out of any Part of the Rivers *Stour* or *Smestow*, or from or out of a certain Brook or Rivulet running by a Place called *Withymore-mill*, into the *New Pool*, or a certain other Brook or Rivulet running into the said *New Pool*, by a Place called *Salt-water Spring*, or a certain other Brook or Rivulet, running into the said *New Pool*, by the *Level Coal-work* on *Pensnet-chace*, or a certain other Brook or Rivulet, called *Holbecke-brook*, running into the said River *Smestow*, or from or out of any other Rivulet, Brook, Stream, Watercourse, or Spring whatsoever, running into or communicating with the said Rivers *Stour* or *Smestow*; but they and every of them are hereby expressly forbidden and restrained from so doing.

X. Provided nevertheless, That nothing herein contained shall hinder or prevent the said Company of Proprietors, their Successors or Assigns, from having or taking, for the Use of the said Navigation, any Waters to be raised or got by means of any Fire-engine or Fire-engines, or other Machine, erected or to be erected upon or near to any Part of *Pensnet-chace*, or near to the said collateral Cuts for draining the Water from any of the Coal or other Mines there; nor from taking or intercepting any Rain-water or Land-floods, by means of any Reservoir or Reservoirs to be made on *Pensnet-chace*, or on the Summit of the said Navigation, for the Purpose of supplying the same with Water; nor from taking or diverting into the Summit of the said collateral Cuts, certain Springs, Streams, or Rivulets, rising on *Pensnet-chace*, and which at present flow into *Wardesley-brook*; as also certain other Springs, Streams, or Rivulets, which at present flow into *Audnam-brook*, as well as any other Springs, which will be necessarily intercepted in the making of the said collateral Cuts.

XI. And whereas a Bill is now depending in Parliament for making and maintaining a Navigable Canal, and which is intended to be called *The Dudley Canal Navigation*, within and from certain Lands belonging to *Thomas Talbot Foley* Esquire, in the Parish of *Dudley* in the County of *Worcester*, to join and communicate with the said *Stourbridge* Navigation hereby authorised to be made at the *Black Delph* aforesaid: Therefore, in order to preserve a Supply of Water for the said *Dudley Canal*, be it enacted by the Authority aforesaid, That nothing in this Act contained shall authorise or impower the said

nor to carry the Canal within 30 Yards of his Plantation at *Hafcut*;

nor to leave Spoil or Earth on his Land near the Road from *Hafcut* to *Stewponney*.

Proprietors not to extend Canal within one Mile and a Half of *Birmingham Canal*, &c.

No Water to be taken out of *Birmingham Canal* Navigation, &c.

Proprietors not to take or divert certain Waters.

Reservation of Waters for the Use of the Navigation.

Proprietors not to make Reservoirs on the South-east Side of the Turnpike road between Dudley and Brierly-hill, &c.

Waste Water to be conveyed to Mr. Foster's Leather-mill.

Proprietors may erect Weirs, for carrying off superfluous Water in Times of Flood. Provide.

Proprietors to erect Weirs upon the Canal above Bell's Mill.

No Quays, &c. to be made in Mr. Foster's Land in Nager's Fields. Direction of Towing path through Nager's Fields.

Breadth of Canal, Towing-paths, &c. restricted.

Power to take Water from Mines;

Company of Proprietors, their Successors or Assigns, to make or use any Reservoir or Reservoirs on the South-east Side of the Turnpike-road leading between the Town of *Dudley* and *Brierly-hill* Chapel, on *Pensnet-chase* aforesaid; or to take any Water to be raised by any Fire-engine, Machine or Level, already erected or made, or to be erected or made, on the South-east Side of the said Turnpike-road, unless with the Consent of the intended Company of Proprietors of the said *Dudley* Canal Navigation first had and obtained in Writing under their Common Seal; but that nothing herein contained shall hinder or prevent the said Company of Proprietors of the said *Stourbridge* Canal Navigation from making any such Reservoir or Reservoirs, or taking the Water to be raised from the Coal Mines by any Fire-engine, Machine, or Level, upon or near any Part of *Pensnet-chase*, in case the said *Dudley* Canal Bill shall not pass into a Law, or the said Canal shall not be made in consequence thereof, or be hereafter discontinued.

XII. And whereas *John Foster* Esquire is Owner of a certain Leather-mill, situate near *Wordsley*, in the Parish of *Kingswinford* aforesaid, and it is apprehended that some of the Water which now runs to the said Mill, may be taken for the Use of the said Canal and collateral Cuts: Therefore, in order that as little Injury may be done to the said Mill as may be, be it enacted by the Authority aforesaid, That the said Company of Proprietors, and their Successors and Assigns, shall, and they are hereby required, at their own Costs and Charges, to erect, and at all Times thereafter support and maintain, one or more Weir or Weirs upon that Part of the said collateral Cuts which lies between the Reservoir to be made on *Pensnet-chase*, and the *Black Delph*, so as to turn and convey to the said Leather-mill all the waste and superfluous Water arising from the Summit of the said Navigation, and which shall not be wanted for the Use thereof: But nothing herein contained shall hinder or prevent the said Company of Proprietors, their Successors and Assigns, from erecting one or more Weir or Weirs on the said collateral Cuts for the Purpose of carrying off the superfluous Water in Times of Flood, which otherwise might injure the said Navigation, so as that such last mentioned Weir or Weirs be placed not less than one Inch higher than the said Weirs, for conveying the said Water to the said Leather-mill: Provided also, That the Regulations aforesaid, respecting the said Mill, shall not be construed to extend to deprive the said *John Foster*, his Heirs or Assigns, of any further Satisfaction he or they may be entitled unto for the Damage which may be done to his or their Property by diverting into the said Canal or collateral Cuts any Waters to which he or they is or may be legally entitled; but that he or they shall have and receive Satisfaction for such Damage, to be ascertained and recovered by the Ways and Means herein after provided with respect to Waters to be taken for the Use of the said Navigation.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That the said Company of Proprietors, and their Successors and Assigns, shall, and they are hereby required, at their own Costs and Charges, to erect, and at all Times thereafter to support and maintain, one or more Weir or Weirs upon the said Canal above *Bell's* Mill, not more than one Inch and an Half higher than the Weirs to be made at the Lock next below *Bell's* Mill, (the Lock Weirs not to be more than twenty Feet wide, and the Flood Weir or Weirs above *Bell's* Mill not to be less than forty Feet) so as to turn and convey into the River *Stour* all the waste and superfluous Water arising from or running into the said Canal which will not be wanted for the Use thereof.

XIV. Provided always, and be it further enacted, That nothing in this Act shall be construed to extend to empower the said Company of Proprietors, their Successors or Assigns, to make or erect any Quay, Wharf, Crane, Weighing-beam, Mill, or Warehouse, in any of the Lands belonging to the said *John Foster*, situate at *Wordsley*, in the said Parish of *Kingswinford*, called *Nager's* Fields.

XV. Provided always, and be it further enacted by the Authority aforesaid, That the Towing-path through and over the Lands and Grounds of the said *John Foster* called *Nager's* Fields, shall not be made on the South Side of the said collateral Cuts, unless with the Consent in Writing of the said *John Foster*, his Heirs or Assigns.

XVI. Provided always, and be it further enacted, That the Land and Ground to be taken or used for such Canal, and collateral Cuts and Towing-paths, and the Ditches, Drains, and Fences, to separate such Towing-paths from the adjoining Lands, shall not exceed twenty-six Yards in Breadth, except in such Places where the said Canal or collateral Cuts shall be respectively raised higher, or cut above five Feet deeper, than the present Surface of the Land, and in such Places where it shall be judged necessary for Boats and other Vessels to turn, lie, or pass each other, nor more than sixty Yards in Breadth in any of those Places; nor shall any Land or Ground be set out, ascertained, contracted for, and sold, for the Purpose of making any navigable Cut, Trench, or Sluice, to convey Commodities, or other Things, to or from the said Canal or collateral Cuts, without the Consent of the Owner or Owners of the said Lands respectively, under his or their Hands in Writing first had and obtained; nor for more than one thousand Yards in Length with such Consent; any Thing in this Act contained to the contrary notwithstanding.

XVII. And whereas the making such Canal and collateral Cuts will be of particular Advantage to the Owners and Proprietors of certain Coal-mines already opened, and which may be opened, contiguous or near to the said collateral Cuts; and it will be necessary for supplying the said Canal and collateral Cuts with Water, that the Water to be raised by the Fire-engines, or other Machines, erected or to be erected for the draining of the said Mines, should be discharged into the said Canal or collateral Cuts, be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, and they are hereby authorized and empowered, at all Times hereafter, to have, divert, and take, the Water to be raised or drained, by means of certain Fire-engines already erected near to the Course of the said intended collateral Cuts, and which belong to *John Pidcock*, *Benjamin Brettell*, and *Jeremiah Brettell*, as Copartners, and to the said *Jeremiah Brettell*, *Thomas Seager*, and *John Parker*, individually, as also the Water which may be got, raised, or conveyed from or by Means of any other Fire-engine, Machine, or Level, which now is or are, or shall or may, at any Time or Times hereafter, be erected, made, or opened, in or upon any Lands or Mines belonging to the

Right

Right Honourable *John Lord Viscount Dudley and Ward*, the said *John Pidcock*, *Benjamin Brettel*, *Jeremiah Brettell*, *Thomas Seager*, *John Parker*, and *Robert Honeyborne*, or of any other Person or Persons whomsoever, without any Recompence or Satisfaction to be made by the said Company of Proprietors, their Successors, or Assigns, for the said Water so to be diverted and taken as aforesaid; and that it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, for the Purpose of supplying the said Canal and collateral Cuts with the said last-mentioned Water, and for the conveying of the same thereto, to make any Reservoir or Reservoirs, Trenches, Aqueducts, or Feeders, doing no Injury thereby to any Mines lying under or near to such Reservoirs, Trenches, Aqueducts, or Feeders, and making Recompence and Amends to the Owners and Proprietors of Lands, in Manner as herein is directed and provided, for any Lands to be taken or used, or for any Damage to be occasioned to any other Lands by reason of the making of any such Reservoirs, Trenches, Aqueducts, or Feeders.

and also to make Reservoirs, Trenches, &c.

making Recompence for Damages.

Proprietors of Fire-engines, &c. to lift their Water into the Canal, &c.

XVIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Owners or Proprietors of Mines, who shall at any Time or Times hereafter navigate or make use of the said Canal or collateral Cuts, for the Purpose of conveying, his, her, or their Coals, or other Minerals, shall, and they are hereby required to cause to be lifted and thrown up, all such Water as shall from Time to Time be raised by any Fire-engine, Machine, or otherwise, for the Purpose of working his, her, or their Mines, to such a Height or Level as may be sufficient to convey such Water into the said Canal, or collateral Cuts, so as such Owners or Proprietors be not obliged to raise the said Water, at his, her, or their own Expence, higher than may be necessary for draining and discharging the Water from his, her, or their Mines; but in case the said Company of Proprietors, their Successors or Assigns, shall think it expedient, for the Purpose of supplying the said Canal and collateral Cuts with Water, that the Owners or Proprietors of any such Fire-engine, or other Machine, should raise the Water out of his, her, or their Mines, to a higher Level than may be necessary for draining and discharging such Water out of such Mines, and shall give Notice in Writing under the Seal of the said Company of Proprietors, or under the Hand of their Clerk or known Agent, of their requiring the said Water so under-level to be thrown into the Canal or Cuts; then, and in such Case, the said Owner or Proprietor of every such Fire-engine, or other Machine, shall be obliged to lift up such Water into the said Canal or collateral Cuts, agreeable to such Notice, the said Company of Proprietors, their Successors or Assigns, first paying either to the said Owner or Proprietor of such Fire-engine or other Machine, or into the Hands of some one indifferent Person to be named and appointed by the said Commissioners, or any five or more of them, at the Option of the said Company of Proprietors, to be by such Person applied from Time to Time as the said Commissioners shall direct, in paying the additional Expence any such Owner or Proprietor of any such Fire-engine or other Machine may incur or be put unto in altering or enlarging the said Fire-engine or Machine, or in constructing any other Works to answer the Purpose aforesaid, and also from Time to Time making a further and full Satisfaction by way of annual Rent, for the additional Expence such Owner or Proprietor may be put unto in working, supporting, and keeping in Repair, the said Fire-engine or other Machine for the Purpose of throwing the Water into the said Canal or collateral Cuts; and in case the said Company of Proprietors, their Successors or Assigns, and the Owners or Proprietors of any such Mines or Fire-engines, shall not agree upon the Compensation to be made, the same shall be adjusted and determined in Manner herein after provided with respect to Satisfaction to be made to the Owners of Lands to be taken for the Use of the said Canal; such Compensation to be paid either to the said Owner or Proprietor of any such Fire-engine or other Machine, or into the Hands of such indifferent Person to be nominated as aforesaid, at the Election of the said Company of Proprietors, their Successors or Assigns, and to be applied for the Purposes and in Manner herein before mentioned and directed: And in case the Owner or Proprietor of any Fire-engine or other Machine shall at any Time, during the Time such Fire-engine or other Machine shall be worked or used for the Purpose of draining the Water out of such Mines, refuse or neglect, after Notice in Writing for that Purpose, to be given by the said Company of Proprietors, their Successors or Assigns, or their Clerk or Agent for the Time being, to lift or raise the Water to be drained out of his, her, or their Mines, to the Height and Level and in Manner herein before directed; that then it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, from Time to Time to hinder and prevent such Owner or Proprietor of such Fire-engine or other Machine and Mines, or any other Person or Persons, from navigating or conveying any Coal or other Minerals, which shall be gotten from such Mines, upon the said Canal or collateral Cuts, during the Refusal or Neglect of such Owner or Proprietor as aforesaid, and for any further Time, not exceeding the Space of three Months, nor less than one Month, next after the said Water shall be conveyed to the said Canal and collateral Cuts; any Thing in this Act contained to the contrary hereof notwithstanding.

How to proceed if Parties cannot agree upon the Compensation, &c.

Punishment of Owners of Fire-engines, &c. who shall refuse to raise the Water as above mentioned.

Bodies Politic, &c. empowered to sell and convey.

XIX. And be it further enacted by the Authority aforesaid, That after any such Parts of the said Lands or Grounds shall be so set out and ascertained as aforesaid for making the said Canal and collateral Cuts, and other the Purposes and Conveniencies herein before mentioned, it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust for Charities and other Purposes, Committees, Executors, Administrators, and all other Trustees whatsoever, 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, Lunatics, Idiots, Females-covert, or other Person or Persons, and to and for all Females-covert who are or shall be seized, possessed of, or interested, in their own Right, and to and for every other Person or Persons whomsoever who are or shall be seized, possessed of, or interested in, any Lands or Grounds which shall be set out and ascertained as aforesaid, to contract for, sell, and convey, unto the said Company of Proprietors, their Successors and Assigns, or to such Person or Persons as they shall nominate and appoint, for the Use of the said Navigation, all or any Part of such Lands or Grounds which shall from Time to Time be set out and ascertained as aforesaid; and where, by making the said Canal and collateral Cuts, the Property of any

Land-owner or Land-owners shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful to and for such Bodies Politic, Corporate, and Collegiate, and other such Land-owners, by and with the Consent of the Commissioners to be appointed as herein after mentioned, or any five or more of them, to be testified by any Writing or Writings to be by them sealed and delivered in the Presence of, and attested by, two or more credible Witnesses, to contract for, sell, and dispose of, or to convey in Exchange in lieu of other Lands, all or any Part of such Lands or Grounds through which the said intended Canal and collateral Cuts shall be made, to any Person or Persons whomsoever, for such Price or Prices in Money, or other Equivalent, as to the said Commissioners, or any five or more of them, shall seem reasonable; and that all such Contracts, Agreements, Sales, Exchanges, Conveyances, and Assurances, shall be valid and effectual in Law, to all Intents and Purposes whatsoever; any Law or Statute to the contrary thereof in any-wise notwithstanding: And all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so conveying or exchanging as aforesaid, are hereby indemnified for what he, she, they, or any of them, shall respectively do by virtue or in pursuance of this Act; and that all such Contracts, Agreements, Sales, Exchanges, Conveyances, and Assurances, (other than those which concern Copyhold Lands or Tenements, or any Purchase or Exchange between any such respective Land-owners) so to be made as aforesaid, shall, at the Expence of the said Company of Proprietors, their Successors and Assigns, be enrolled by the Clerks of the Peace of the respective Counties of *Stafford* and *Worcester*, in which such Lands shall lie; and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Inrolment the Clerk of the Peace for the County where the same shall be inrolled shall receive the Sum of Sixpence, and no more, for every two hundred Words; and so in proportion for any greater or less Number of Words.

All Persons indemnified who shall sell or convey, &c. by virtue of this Act.

Copyhold Rights to be preserved.

XX. Provided always, and be it enacted, That all Contracts, Agreements, Bargains, Sales, and Exchanges, of any Lands, which are of the Nature of Copyhold, or Customary Freehold, shall be executed and completed by Surrender thereof in the respective Courts of the Manors whereof such Lands are held, according to the Custom of the said Manors respectively; and shall remain and continue subject to such and the same Fines, Rents, and Services, as are due, payable, or of Right accustomed, in such and the same Manner as if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

XXI. And whereas Differences may arise between the said Company of Proprietors and the several Owners of and Persons interested in Lands, Grounds, Tenements, Hereditaments, or Waters, which shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted, touching the Purchase-money to be paid, or Recompence to be made, to them respectively, be it therefore enacted by the Authority aforesaid, That *John Amphlett, Joseph Amphlett, Richmond Aston, George Anson, John Turnpenny Altree, Sir Richard Acl'n Baronet, Dudley Ackland, William Amphlett, John Aynsworth, Sir William Bagot Baronet, Thomas Bradney, John Beecher, Thomas Brettell the elder, Thomas Brettell the younger, Jeremiah Brettell, Richard Brettell, Ananias Brettell, Joseph Brettell, Thomas Biggs, Richard Blicke, Walter Bradley, James Brasier, John Baker, George Baker Clerk, William Barrett, Nathaniel Barrett, Richard Baynes, Joseph Beesley, John Broom junior, Thomas Baker, Thomas Bourne, Charles Baldwin, Thomas Bagnell, Sir Henry Bridgeman Baronet, Robert Burton, the Reverend John Brooke, Richard Bradshaw Clerk, Anthony Badley, Henry Badley, John Badley, Dudley Bagley, William Bedy, Thomas Bedy, Benjamin Brettell, William Bayliss, George Burroughs, Robert Bloomer, the Reverend John Carver Archdeacon of Stafford, Edmund Cox, William Croft, Richard Croft, Edward Causer, William Clinton, Daniel Clarke, Francis Corne, William Cberwynd, the Honourable Thomas Cliford, Brook Crutchley, Joseph Cattrill, Henry Crockett, the Right Honourable Lord Clive, John Corbet, Edward Cludde, William Childe, John Cotes, Robert Corbet, Andrew Corbet, Joseph Cartwright Clerk, John Cox, John Cromwell, William Callow, Edward Cox, Sergeant Crane, Thomas Carpenter, John Durant Clerk, Anthony Deane, Oliver Dixon, Thomas Dudley, John Dudley Clerk, Edward Dixon, Edward Davis, Thomas Davenant, Corbet Davenant, Abraham Darby, John Downing Clerk, Thomas Orford Downing, Thomas Danks, George Ensell, Vincent Edwards, Henry Eld, Thomas Eytton, Thomas Foley, Thomas Foley junior, Edward Foley, Thomas Talbot Foley, Andrew Foley, John Foster, John Finch, William Finch, John Foster junior, Thomas Fowler, James Fiedelhouse, John Fryer, Thomas Fernyboough, George Forester, William Ferryday, Stephen Fisher, the Honourable Booth Grey, the Honourable John Grey junior, John Gibbons, Benjamin Gibbons, John Groome, Green, D. D. Thomas Gibbons senior, John Gough, William Geast, Thomas Grazebrook, Charles Harris Clerk, Joseph Honeyborne Clerk, John Hedgotts, Corbett Hale, William Hoggett, John Hurtle, Edward Hickman, Thomas Highway, Robert Honeyborne, Thomas Hawkes, Waldron Hill, Thomas Hill the elder, Thomas Hill the younger, Charles Harris, Samuel Hillins, Joseph Hancox, Francis Hemfray, Walter Hollier, Edward Harper, Sir Samuel Hayes Knight, the Reverend Thomas Hartshorne, William Haslewood, Thomas Hayes, John Hassard, Thomas Hayles of Bristol, John Hayne, Peter Hinckes, John Horton, the Reverend Edward Horton, Phineas Hussy, Francis Holyake, James Horton, Peter Hinckes the younger, Josiah Hinckes, John Hayes, Thomas Ho, Sir Rowland Hill Baronet, Noel Hill, Henry Hawley, Thomas Hill, Richard Hill, Thomas Harris, the Reverend Edward Harris, John Haden, Thomas Hawkes junior, John Homer, Josiah Hunt, John Aldenbrooke Homfray, John Hilden, Aston Harris, Thomas Holbeche, George Jones, John Iddins, John Jesson, William Jones, John Jarvis, the Reverend Cornelius Jesson, Sir Thomas Jones Knight, Francis Ingram, John Jefferies, John Keeling, Edward Knight, Edward Knight the younger, John Knight, James Keir, the Right Honourable Lord Killmorcy, Robert Kynaston, William Henry Lyttelton, William Lygon, Humphrey Lyttelton, John Lane, Joseph Lane, Sir Edward Littleton Baronet, Fisher Littleton, John Leebridge, Sir Robert Lawley Baronet, Charles Leighton, Reginald Lygon, Thomas Lea, John Lea, Walter Aston Mosely, James Mosely, John Marsh, Thomas Milward, Richard Mee, Joseph Morris, George Moineux, John Marshall, William Mansfield, William Masfere, John Mytton, Thomas Mytton, Edward Maurice, Walter Aston Mosely the younger, James Mackmillan, George Mackmillan, Thomas Newton, Walter Noel, the Reverend Titus Neve Clerk,*

Commissioners appointed.

Clerk, Richard Norris, Richard Norbury, Hungerford Oliver, John Oldnall, Edward Oliver, Thomas Milward Oliver, William Mostyn Owen, Thomas Ottley, William Pigott Clerk, Other Philpott Clerk, Walford Phillips, John Pidcock, Thomas Pidcock, William Pargiter, William Powell, James Pratt, William Palmer, James Payton, James Perry, John Lewis Petit M. D. the Right Honourable Lord George Pigot, John Poultney, Thomas Pearson, Thomas Plimley, Robert Prittie, William Perks, John Perks, John Price, William Pulteney, Edward Pemberton, Robert Pigott, William Pearcehall, Sir John Peshall Baronet, John Peshall, Sparry Peshall, Philips Penn, Zachariah Parkes, William Perry, Thomas Parker, John Perry Clerk, John Perrott, Edward Russell, Thomas Rogers, Wilson Aylebury Roberts, Thomas Raybould, Joseph Robins, John Richardson, Edward Rogers, John Rock, Richard Rock, Francis Stokes, Samuel Steward, William Scott, John Scott, John Smith, Thomas Seager, William Seager, Thomas Savage, Jonathan Stokes, John Southwell, Ferdinando Smith, the Reverend Edward Shaw, the Reverend James Shaw, John Weston Smith, Edward Sneyd, the Reverend James Stafford, John Sneyd, Lancelot Shadwell, the Reverend Thomas Seward, the Reverend Jonas Slaney Clerk, Thomas Stubbs, John Stubbs, Talbot Stubbs, George Stubbs, Sir Edward Smith-Baronet, John Smitheman, Nicholas Smith, Plowden Slaney, Thomas Stephens, the Reverend Thomas Shaw, James Hayward Shaw, Abraham Turner, John Tristram, John Tristram the younger, Thomas Tristram, John Turton, Thomas Tomkys, Thomas Turton, the Honourable Henry Tracey, John Taylor, William Tongue, Samuel Twamley, William Turner, William Vernon, Henry Vernon, Sir John Wrottesley Baronet, the Honourable William Ward, Humble Ward, Pynson Winnot Clerk, Paul White Clerk, John Welch Clerk, Walter Woodcock, Thomas Wight, Edward Whitby, Gregory Watkins, William Wheeler, Thomas Waldron, William Waldron, Thomas Jacob White, Nathaniel Wight, John Wylde Clerk, Joseph Wilks, Thomas Wilks, John Wilks, Moreton Walhouse, John Watson, John Wightwick, Henry Wood, Richard Whitworth, Thomas Wightwick, Richard Wilks, Sir Watkin Williams Wynn Baronet, Thomas Whitmore, William Whitmore, Charles Edward Windsor, the Reverend Henry Witmore, John Watts, Joseph Wainwright, and John Wells, Sir John Saunders Sebright Baronet, Robert Lawley, Thomas Evans Clerk, Henry Downing Clerk, Richard Amphlett, Walter Mosely, Joseph White, William Blw Collis, shall be, and they and their Successors, to be elected in Manner herein after mentioned, are hereby appointed Commissioners for the settling, determining and adjusting, all Questions, Matters, and Differences, which shall or may arise between the said Company of Proprietors, their Successors and Assigns, or any of them, and the several Proprietors of, and Persons interested in, any Lands, Grounds, Tenements, Hereditaments, or Waters, that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the said Commissioners, or any five or more of them, qualified as hereafter mentioned, are hereby empowered, by Examination of Witnesses upon Oath, (which Oath the said Commissioners, or any five or more of them, are hereby authorized to administer) and by other lawful Ways and Means, by Writing under their Hands and Seals, to determine and adjust, from Time to Time, what distinct Sum or Sums of Money shall be paid by the said Company of Proprietors, their Successors and Assigns, or any of them, either by an annual Rent or Payment, or by a Sum of Money in Gros, to, and at the Election of, such Bodies Politic, Corporate, or Collegiate, Person or Persons respectively, who shall be entitled or interested as aforesaid, for the absolute Purchase of the Lands or Grounds which shall be set out and ascertained as aforesaid for making the said Canal, and collateral Cuts, or any Part thereof, and other the Purposes in this Act mentioned; and also to determine and adjust what other distinct Sum or Sums of Money shall be paid by the said Company of Proprietors, their Successors or Assigns, as a Recompence for any Damages which may, or shall be, at any Time or Times whatsoever, sustained by such Bodies Politic, Corporate, or Collegiate, or other Person or Persons respectively, being Owners of, or interested in, any Lands, Grounds, Tenements, Hereditaments, and Waters, for or by Reason of the making, repairing, or maintaining, the said Canal, or collateral Cuts, or of any Reservoirs, Trenches, Passages; Gutters, Watercourses, Roads, Ways, or Sluices, or supplying the same, or any of them, with Water as aforesaid, or by the flowing, leaking, or ouling, of the Water over or through the Banks, of the said Canal, collateral Cuts, Reservoirs, Trenches, or Sluices, or over or through any Passages, Gutters, or Watercourses, which shall be made pursuant to the Powers hereby given, for conveying and communicating Water to and from the said Canal and collateral Cuts, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams or Brooks into the same, or by Reason or Means of the Execution of any of the Powers herein contained, by the said Company of Proprietors, their Successors and Assigns, their Agents, Workmen, or Servants, in case such Price or Value, Damages and Recompence respectively, cannot be settled, adjusted, and agreed upon, by and between the said Company of Proprietors, their Successors and Assigns, or any of them, and such Proprietors of, and Persons interested in, the said Lands and Grounds as aforesaid: And if the said Company of Proprietors, their Successors and Assigns, for and on the Part and Behalf of themselves, or any such Body Politic, Corporate, or Collegiate, or other Person or Persons, so interested or intitled as aforesaid, for and on his or their Parts, shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made as aforesaid; and if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, entitled or interested as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase-money or annual Rent, or such Recompence, as shall be so determined to be paid, or shall, upon Notice in Writing, given to the principal Officer or Officers of such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his or heir Abode, or with the Tenant or Tenants, Occupier or Occupiers, of such Lands or Grounds, for the Space of twenty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Company of Proprietors, their Successors and Assigns, or by reason of Absence, shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for promoting the Navigation and other Works aforesaid, or shall not produce and evince a clear Title to the Premises which they are or shall

Commissioners Powers;

They may determine what Sums shall be paid for Land, &c.

and for Damages.

In what Cases Juries to be impannelled.

shall be in Possession of, or to the Interest which they claim therein; then, and in every such Case, the said Commissioners, or any five or more of them, shall, and they are hereby impowered and required, from Time to Time, to issue a Warrant or Warrants, under their Hands and Seals, to the Sheriff or Sheriffs of the said Counties of *Stafford* or *Worcester* for the Time being respectively in which the Matter or Matters shall arise; or in case such Sheriff or Sheriffs, his or their Under-sheriff or Under-sheriffs respectively, or either of them, shall happen to be one of the Company of Proprietors of the said Navigation, or enjoy any Office of Trust or Profit under them, or shall be interested in the Matter in question, then to the Coroner or Coroners of the said Counties of *Stafford* or *Worcester* respectively, not interested as aforesaid; commanding such Sheriff or Coroner respectively to impanel, summon, and return a Jury, and the said Sheriff or Coroner respectively is hereby required accordingly to impanel, summon, and return a Jury of twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at *Westminster*, to appear before the said Commissioners, or any five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than nine nor more than twenty Days after such Warrant shall be served upon the said Sheriff or Sheriffs, Coroner or Coroners respectively; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of twelve, and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners, or any five or more of them, are hereby impowered to summon and call before them all and every such Person or Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and the said Commissioners, or any five or more of them, may order and authorise the said Jury, or any six or more of them, to view the Place or Places, or Matters in Controversy; which Jury upon their Oaths (all which Oaths, as well as the Oaths to be taken by any Person or Persons who shall be called upon to give Evidence, the said Commissioners, or any five or more of them, are hereby impowered to administer) shall inquire of, assess, and ascertain, the distinct Sum or Sums of Money, or annual Rent, to be paid for the Purchase of such Lands or Grounds, or the Recompence to be made for the Damage that may or shall be sustained as aforesaid; and the said Commissioners, or any five or more of them, shall give Judgment for such Purchase-monies, Rent, or Recompence, so to be assessed by such Juries; which said Verdict, and the Judgment thereupon pronounced by the said Commissioners, or any five or more of them, shall be binding and conclusive to all Intents and Purposes, against the King's Majesty, his Heirs and Successors, and against all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever.

Jurymen may be challenged.

Jury to ascertain the Sums to be paid for Purchase-money, Damages, &c.

Their Verdict to be final.

Penalties on Sheriff, Jurors, &c. neglecting their Duty.

XXII. Provided always, and be it enacted by the Authority aforesaid, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of twenty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be sworn or examined or to give Evidence; every Person so offending respectively, having no reasonable Excuse, to be allowed by the said Commissioners, or any five or more of them, shall, for every such Offence, forfeit and pay any Sum not exceeding five Pounds, to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the said acting Commissioners, or any five or more of them, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus to the Owner thereof, after such Penalty, and the Charges of such Distress and Sale, shall be deducted.

Expences of Juries how to be paid.

XXIII. Provided also, and be it enacted by the Authority aforesaid, That in all Cases where a Verdict or Assessment shall be given or made for more Monies, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damage to be done to any Lands, Grounds, or Hereditaments, or Property, of any Person or Persons whatsoever, than had been previously offered by or on Behalf of the said Company of Proprietors, their Successors or Assigns, or than had been determined and assessed by the said Commissioners; that then all the Expences of summoning such Jury, and of taking such Inquest, shall be settled by the said Commissioners, or any five or more of them, and shall be defrayed by the said Company of Proprietors, their Successors or Assigns: But if any Verdict or Assessment shall be given or made for the same or a less Sum than had been previously offered by, or on Behalf of, the said Company of Proprietors, their Successors or Assigns, or than had been determined and assessed by the said Commissioners as aforesaid; then, and in every such Case, the Costs and Expences of summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, and be borne and paid by the Person or Persons with whom the said Company of Proprietors, their Successors and Assigns, shall have such Controversy or Dispute.

Persons requesting Juries to enter into Bond to prosecute, &c.

XXIV. And be it further enacted, That all and every Person or Persons making Complaint and requesting such Jury, shall, before the said Commissioners shall be obliged to issue out their Warrant or Warrants for the summoning such Jury as aforesaid, first enter into a Bond, with two sufficient Sureties, to the Treasurer to the said Company of Proprietors, their Successors and Assigns, for the Time being, in the Penalty of fifty Pounds, conditioned to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for the same or a less Sum than had been offered by or on Behalf of the said Company of Proprietors, their Successors and Assigns, or than had been assessed by the said Commissioners, before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damages as aforesaid.

XXV. And

XXV. And be it further enacted, That the said Commissioners shall not, nor shall any of them, be obliged by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whatsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue of this Act, unless Application hath been or shall be made in relation thereto, by or on Behalf of such Person or Persons, to the said Company of Proprietors, their Successors or Assigns, or to their known Agent or Agents, or to some Collector or Collectors of the Tolls arising from the said Navigation in the County where the Cause of Complaint shall arise, within the Space of six Calendar Months next after the Time such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

No Complaints to be made to Commissioners, until Application hath been made to Proprietors.

XXVI. And be it further enacted, That all and every Person and Persons, who, in any Examinations to be taken by virtue of this Act, shall give false Evidence before the said Commissioners, or any of them, or before any Justices of the Peace, shall and may be prosecuted for the same; and, upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Penalty on giving false Evidence.

XXVII. And be it further enacted by the Authority aforesaid, That upon Payment of such Sum or Sums of Money, or annual Rent, as shall be contracted or agreed for between the Parties, or determined and adjusted by the said Commissioners, or any five or more of them, or assessed by such Juries in Manner respectively as aforesaid, for the Purchase of any such Lands or Grounds as aforesaid, to the Proprietors thereof, or other Persons intitled to receive such Money or Rent respectively, or legal Tender thereof made to such Proprietor or Proprietors, or other Person or Persons, or to the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate, at any Time after the same shall have been so agreed for, determined, or assessed; or if he, she, or they cannot be found, or shall refuse to accept such Money or Rent, upon Payment thereof to such Person or Persons as the said Commissioners, or any five or more of them, shall by Writing under their Hands appoint, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Proprietors or Persons respectively as aforesaid; then, and in such Case, such Lands and Grounds respectively, and the Fee-simple and Inheritance thereof, shall from thenceforth be vested in, and become for ever the sole Property of the said Company of Proprietors, their Successors and Assigns, to and for the Use of the said Navigation, but to or for no other Use or Purpose whatsoever; and it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, their Agents, Workmen, and Servants, immediately to enter upon the same, and to dig, cut, trench, fough, and remove, Earth, Stone, Rubbish, Trees, Roots of Trees, and all other Obstructions, for the making, using, maintaining, and repairing the said Canal, and collateral Cuts, and Towing-paths on the Sides thereof, in or upon such Lands, Tenements, or Hereditaments, for which such Satisfaction shall be deemed or assessed as aforesaid, and thereupon to make, erect, or do, any Works, Matters, or Things, for the effecting and carrying on the said Navigation, and for the supporting and maintaining the same, as the said Company of Proprietors, their Successors or Assigns, shall think requisite; and to have, use, and enjoy the same, to and for their own Use and Benefit, for the Purposes of the said Navigation; and this Act shall be sufficient to indemnify, as well the said Commissioners, as the said Company of Proprietors, their Successors and Assigns, and their Servants, Agents, and Workmen, for what they or any of them shall do by virtue of the Powers hereby granted.

Upon Payment or Tender of Monies agreed on for Purchase of Lands, &c.

the said Lands vested in Proprietors,

who may enter on the same, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That all Determinations of the said Commissioners, or any five or more of them, which shall be submitted to and acquiesced in by the Parties concerned, and also the said Verdicts and Judgments (being first signed by five or more of the Commissioners who shall be present at the making of such Determinations, or the taking of such Verdicts, and pronouncing such Judgments respectively) shall be transmitted to, and kept by, the respective Clerks of the Peace, amongst the Records of the Quarter Sessions of the Peace for the said Counties of *Stafford* or *Worcester* respectively, as the Case shall require, and shall be deemed to be Records of the said Quarter Sessions to all Intents and Purposes, 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, as also the Inrolments of such Contracts, Agreements, Sales, and Conveyances, as are herein-before mentioned, paying for each Inspection the Sum of one Shilling, and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of Sixpence, and so in Proportion for any less Number of Words; and immediately on such Payment, and Entry of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Court and Juries, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity, of the Person or Persons for whose Use such Money or Rent shall be paid, in, to, and out of the said Lands, Tenements, Hereditaments and Premises, shall vest in the said Company of Proprietors, their Successors and Assigns, and they shall respectively be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same to them by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment shall be made, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates and Interests, either in Reversion or Remainder, against the Issue or Issues of such Person and Persons, and all and every other Person and Persons whomsoever, as effectually as a Fine and Recovery, or either of them would do, if levied or suffered by the proper Parties in due Form of Law.

Determinations, Verdicts, &c. to be recorded,

and Lands to become vested in the Company.

XXIX. And be it further enacted by the Authority aforesaid, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or to any Feoffees in Trust,

Purchase-moneys to be laid out to the same Uses, &c.

Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees whatsoever, for or on Behalf of any Infants, Lunatics, Idiots, Females-covert, or other *Cestuique* Trusts, or to any Person or Persons whose Lands are limited in strict Settlement, for the Purchase or Exchange of any Lands or Grounds as aforesaid, shall, in case the same exceed the Sum of twenty Pounds, by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons seized of Lands or Grounds so limited in strict Settlement, be laid out as soon as conveniently may be in the Purchase of Lands, Tenements, and Hereditaments, in Fee-simple, to be conveyed to, or to the Use of, such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or to or for such other Person or Persons, and for such Estates, and to, for, upon and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands and Grounds, for or in respect whereof such Purchase-monies or Money received in Exchange shall be paid as aforesaid, were limited, settled, and assured, at the Time such Purchase-monies were so agreed for, ascertained, or assessed, respectively as aforesaid, or so many of such Uses as shall be then existing and capable of taking effect; such Conveyances and Settlements (other than those which concern any Purchase or Exchange between any of the respective Land-owners as aforesaid) to be made at the Expence of the said Company of Proprietors, their Successors and Assigns; and in the mean Time, and until such Purchase and Purchases shall be made, the said Monies shall be placed out by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, in some of the public Funds, or on Government or real Securities, in the Names of two or more Persons; the one to be nominated by the Party or Parties interested therein, and the other by the said Commissioners, or any five or more of them; and the Interest arising or to be produced from such Funds or Securities, and also the annual Rent for such Lands, Grounds, Tenements, or Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be charged upon the Tolls, Rates, and Duties, hereby authorized to be taken by the said Company of Proprietors, their Successors and Assigns, and shall be paid to such Person or Persons respectively as would, for the Time being, be entitled to the Rents and Profits of such Lands, Tenements, and Hereditaments, so to be purchased, in case the same were purchased and settled pursuant to the Tenor and true Meaning of this Act.

and, until such Purchases are made, to be placed in some of the Public Funds, &c.

Commissioners to settle Proportions of Money to be paid to Persons interested.

In Default of Payment of Damages, how to be recovered.

If Damages and Costs not paid within four Months, may be levied by Distress and Sale.

Commissioners to enter their Proceedings in a Book,

and appoint a Clerk.

XXX. And be it further enacted, That the said Commissioners, or any five or more of them, may and are hereby empowered to settle what Shares and Proportions of the Purchase-money or Recompence for Damages which shall be so agreed for between the said Company of Proprietors, their Successors and Assigns, or any of them, or determined and adjusted by the said Commissioners, or any five or more of them, or assessed by the said Juries in Manner respectively as aforesaid, shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interests therein, except in such Cases where the same are herein directed to be laid out and invested in the Purchase of Lands, Tenements, or Hereditaments; and in Default of Payment of such Sum or Sums of Money, at such Times and in such Manner as shall be assessed and awarded for Damages of any Kind by virtue of this present Act, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to appoint one or more Person or Persons to receive the Tolls, Rates, and Duties, by this Act imposed, and thereout, in the first Place, to pay all such Damages so to be determined or assessed as aforesaid, with the Costs (if any) occasioned by such Refusal or Default of Payment; and the Money so to be received by such Person or Persons shall and is hereby declared to be as so much Money received to the Use of such Person or Persons who shall be entitled to receive such Satisfaction for Damages as aforesaid, in Order and Course respectively as such Determinations shall be in Priority of Time; and after such Damages and Costs shall be paid and satisfied, the Power and Authority of such Receivers for the Purposes aforesaid shall cease and determine, or otherwise such Party or Parties so aggrieved shall and may have a Remedy for such Sum or Sums of Money, so to be assessed and awarded, and which shall not be paid according to the Judgment of the said Commissioners, or any five or more of them, as aforesaid, by Action at Law in any of his Majesty's Courts of Record at *Westminster*, against the said Company of Proprietors, their Successors and Assigns, to recover the same with full Costs of Suit.

XXXI. Provided always, That in case the Damages and Costs, by this Act directed to be satisfied out of the Tolls arising by the said intended Navigation, shall not be paid and satisfied within the Space of four Calendar Months after the same shall be so determined or assessed as aforesaid, that then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon Complaint made to them, by or on the Behalf of the Person or Persons sustaining such Damage, to issue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said Counties of *Stafford* or *Worcester* respectively, as the Case shall be, authorising and empowering him to raise or levy the Damages, so to be determined and assessed, by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, their Successors and Assigns, or any of them, together with such reasonable Charges as the said Commissioners, or any five or more of them, shall in such Warrant direct and appoint.

XXXII. And be it further enacted, That all Orders and Proceedings of the said Commissioners shall be regularly entered in a Book or Books, to be kept for that Purpose; and such Entries, being signed by such Number of the said Commissioners respectively as are empowered by this Act to make such Orders, or carry on such Proceedings, shall be deemed original, and admitted as Evidence in all Courts whatsoever; and the said Commissioners, or any five or more of them, may, and are hereby required, at a Meeting to be held by them, at the *Talbot Inn* in *Stourbridge*, in the County of *Worcester*, on the first Day of *June* next, to appoint out of three Persons to be nominated by the said Company of Proprietors, their Successors and Assigns, such one of the said three Persons as they the said Commissioners, or any five or more

more of them, shall think proper to be their Clerk; and from Time to Time to remove such Clerk, and appoint another in his Stead, as aforesaid; which Clerk shall be paid for his Care and Trouble, in the Execution of such Office, by the said Company of Proprietors, their Successors and Assigns.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy, any Banks or other Works to be erected or made by virtue of this Act, or do any other wilful Hurt or Mischief, to obstruct, hinder, or prevent the carrying on, completing, supporting, and maintaining the said Navigation; such Person or Persons, being thereof lawfully convicted by the Oath of two or more credible Witnesses, shall be adjudged guilty of Felony; and every such Felon shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person or Persons shall be tried and convicted, shall and are hereby authorized and impowered to transport such Felon for the Space of Seven Years to some of his Majesty's Plantations in America, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm; or otherwise such Court shall and may, at their Discretion, direct such other Punishment to be inflicted upon such Offender or Offenders as the Law authorises in Cases of Petit Larceny; or every Person or Persons so offending, and being thereof lawfully convicted, on the Oath of two or more credible Witnesses, before one or more of his Majesty's Justices of the Peace for the Counties of Worcester or Stafford respectively where such Offence shall be committed, shall forfeit any Sum not exceeding double the Value of the Damage, proved upon Oath to be done, at the Discretion of such Justice; such Penalty to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus (if any) to such Offender or Offenders, or otherwise such Offender or Offenders shall or may be committed to the House of Correction for the said County of Worcester or Stafford, as the Case may happen, for any Time not exceeding three Months, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

Dest' dying any Works belonging to the Navigation made Felony.

Offender may be transported for 7 Years, &c.

or fined double the Value of the Damage.

Proprietors may raise amongst themselves 30,000l.

to be applied in making Canal, &c.

Money to be raised shall be divided into 300 Shares;

and deemed personal Estate.

No Person, Body Politic, &c. to have more than ten Shares.

Five per Cent. to be paid till the Works are completed.

XXXIV. And, to the End that the said Company of Proprietors may be the better enabled to carry on so useful an Undertaking, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, to raise and contribute amongst themselves, in such Proportions as to them shall seem meet and convenient, a competent Sum of Money for making and completing the said Canal and collateral Cuts, provided that the said Sum do not exceed the Sum of thirty thousand Pounds in the Whole; and that the same be divided into such Number of Shares as hereafter directed; and that no Person subscribing thereunto, or becoming a Proprietor in such Navigation, do become a Proprietor of less than one Share, or more than ten Shares, either in his or her own Name, or in the Name or Names of any other Person or Persons in Trust for him or her, (except the same shall come to him or her by Will, Devise, or Act in Law) upon pain of forfeiting to the said Company of Proprietors, their Successors and Assigns, all such Shares as aforesaid; and the Money so to be subscribed and raised as aforesaid is hereby directed and appointed to be laid out and applied for and towards making, completing, and maintaining, the said Canal and collateral Cuts, and other the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

XXXV. And be it further enacted by the Authority aforesaid, That the said Sum of thirty thousand Pounds, or such Part thereof as shall be raised by the several Persons herein before named, and by such other Person or Persons who shall or may, at any Time within twelve Months from the passing of this Act, become a Subscriber or Subscribers to the said Navigation, shall be divided into three hundred equal Parts or Shares, at a Price not exceeding one hundred Pounds each Share; and the Shares shall be deemed to be personal Estate, and shall be transmissible as such, and not of the Nature of real Estate, and are hereby vested in the said several Subscribers, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Behoof, proportionably to the Sum they and each of them shall severally subscribe and pay thereunto; and all Bodies Politic and Corporate, and all other Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe and pay in the Sum of one hundred Pounds, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said intended Navigation, shall be intitled to and receive, after the said Navigation shall be completed; the intire and neat Distribution of one three-hundredth Part of the Profits and Advantages that shall and may arise and accrue by virtue of the Sum and Sums of Money to be raised, recovered, or received, by the Authority of this Act, and so in proportion for any greater Number of Shares, not exceeding ten Shares to any one Person, as aforesaid; and every Body Corporate or Politic, Person or Persons, having such Property of one three hundredth Part or Share in the said Undertaking, and so in proportion as aforesaid, shall respectively be deemed Proprietors of the said Navigation, and shall bear and pay an adequate proportional Sum of Money, towards carrying on the said Undertaking in Manner herein after directed and appointed.

XXXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, and they are hereby required, out of the Money to be raised as aforesaid, during the Time the said Navigation, and all Things necessary for making, completing, and maintaining the same, shall be carrying on, and until the same shall be completed and finished, to pay unto every Body Corporate and Politic, Person or Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe and pay the Sum of one hundred Pounds, or such Sum or Sums of Money as shall from Time to Time be demanded in respect thereof towards carrying on and completing the said Navigation, Interest for the same, after the Rate of five Pounds for every hundred Pounds for one Year, from the Time that each of such Sum or Sums shall be so respectively advanced as aforesaid.

XXXVII. And for the better carrying the Purposes of this Act into Execution, be it further enacted by the Authority aforesaid, That all Bodies Politic or Corporate, and all other Persons, who shall, by

Subscribers to have a Vote for each Share, either in Person or by Proxy.

virtue of this Act, be intitled to one or more Shares in the said Navigation, shall respectively have a Vote, in every public Meeting or Assembly to be held as hereafter appointed for carrying on the said Undertaking, for every such Share, all which Votes may be given by him, her, or them, or by his, her, or their Proxy or Proxies, duly constituted under his, her, or their Hand and Seal or Hands and Seals; and such Vote or Votes by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal or Principals had voted in Person; and whatever Question, Election of Officers, or other Matters or Things, shall be proposed, discussed, or considered, in any public Assembly, to be held by virtue of this Act, shall be finally determined by the Majority of Votes or Proxies then present; computing one Vote for every Share: Provided, that no one Person shall give or deliver more Proxies than for five absent Proprietors.

General Assemblies to be held Twice in every Year.

XXXVIII. And be it further enacted by the Authority aforesaid, That the first General Assembly or Meeting of the said Company of Proprietors shall be held at the *Talbot Inn* in *Stourbridge* aforesaid, upon the first Day of *June* next; and the second General Meeting shall be held upon the first Day of *January* next ensuing, at such Place as the said Proprietors, or the major Part of them, at their said first Meeting shall appoint; and all other such General Assemblies or Meetings shall be held on the first *Monday* in the Month of *January*, and the first *Monday* in the Month of *July*, in every Year, at the Hour of Eleven of the Clock in the Forenoon; at which said first Meeting the Proprietors then present, either by themselves or their Proxies, shall chuse fifteen Persons, who shall, at that Time, be each of them Proprietors of not less than two Shares in the said Navigation; which Persons so chosen shall be a Committee to manage the Affairs of the said Company of Proprietors; and any five or more of them shall (in Default of a larger Number meeting) have Power to act as a Committee for the Purposes aforesaid: But if at any Time it shall appear to any fifteen or more of such Proprietors, that for the more effectually putting this Act in Execution, a special Meeting of Proprietors is necessary to be held, it shall be lawful for such fifteen or more of them, to cause Notice to be given thereof in the *Birmingham* and *Worcester* News-papers, or in such other Manner as the said Company of Proprietors, their Successors or Assigns, shall, at any General Meeting, direct or appoint; declaring in such Notices the Time and Place of such Meeting, (the same not being less than ten Days after such Notice given) and likewise specifying in every such Notice the Reason and Intention of such Meetings respectively; and the Proprietors are hereby authorized to meet pursuant to such Notices, and to proceed in the Execution of the Powers by this Act given them with respect to the Matters so specified only; and all such Acts of the Proprietors, or the major Part of them, at such Meetings assembled, such Proprietors having, either as Principals or Proxies, not less than one hundred Shares in the said Navigation, shall be as valid, to all Intents and Purposes, as if the same were done at General Meetings held in Manner herein before appointed.

A Committee to be chosen.

A special Meeting may be held,

after ten Days Notice.

Committee subject to Controul of General Assembly, &c.

XXXIX. Provided always, That such Committees so to be appointed as aforesaid, shall from Time to Time be subject to the Examination and Controul of the said General Assembly, or other Meetings of the said Proprietors as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises, as they shall from Time to Time receive from the said Proprietors, at any such General Assembly or other Meetings; such Orders and Directions not being contrary to the Directions or Provisions contained in this Act.

Provido

XL. Provided also, That no Person or Persons holding any Place, Office, or Employment, under the said Company of Proprietors, their Successors or Assigns, shall be capable of being chosen to serve upon Committees, during the Time of his, her, or their Continuance in such Office, Place, or Employment.

Books of Account to be kept, &c.

XLI. And be it further enacted by the Authority aforesaid, That proper Books of Account, relating to the said Undertaking or Navigation, shall be kept; and that all such Books, in which such Accounts shall be stated and settled, and all other Matters relating thereunto, shall be deposited and locked up in a Chest or Box, Chests or Boxes, to be kept at such Place or Places, and by such Person or Persons, as the said Company of Proprietors, their Successors and Assigns, shall from Time to Time direct; and any of the Proprietors shall have free Access to such Books, for his, her, or their Inspection.

General Assemblies to consist of 100 Shares.

XLII. Provided always, That if at any such General Assembly there shall not be Persons present, who have one hundred such Shares as aforesaid, either as Principals or Proxies, no Choice of a Committee shall be made at that Time, but in such Case there shall be a new Assembly of the Proprietors of the said Navigation at the same Place, upon that Day three Weeks, at which Time Choice shall be made of Persons to be of the Committee; and the Persons then chosen to be of the said Committee, shall have the same Powers, and continue in Office until such Time; as if they had been chosen at the said first General Assembly; and that in case of Failure of the Meeting of Persons having one hundred Votes as Principals or Proxies, at such first General Assembly, every one of the Proprietors who shall not be present at such second Meeting, by him or herself, or his or her Proxy, shall forfeit to the said Company of Proprietors, for every such Share which he or she shall then have in the said Navigation and Undertaking, the Sum of five Shillings, to be deducted and retained out of his or her next Dividend of the Profits of the said Undertaking.

Power of General Assemblies and Committees.

XLIII. And be it further enacted by the Authority aforesaid, That every such General Assembly shall have Power to call for, audit, and settle, all Accounts of Money laid out and disbursed on Account of the said Navigation, with the Receiver or Receivers, and other Officer or Officers to be by them appointed, or any other Person or Persons whatsoever employed by or under them, in and about the said Navigation; and for that Purpose shall have Power to adjourn themselves from Time to Time, and from Place to Place, as they shall think convenient; and every General Assembly, or such Committee, met together by the Authority of this Act, shall have Power from Time to Time to make such Call or Calls of Money from the said Proprietors, to defray the Expences of carrying on the said Navigation, as they from Time to Time shall find wanting and necessary for those Purposes; so that no Call do exceed the Sum of ten Pounds upon each Share; and so as no Calls be made within the Space of two Months from

from the preceding Call; which Money so called for, shall be paid to such Person or Person, and in such Manner, as the said General Assembly or Committee shall from Time to Time appoint and direct for the Use of the said Undertaking; and every Committee so to be appointed as aforesaid shall, from the Time of such Appointment until the next annual or other General Assembly to be holden as aforesaid, have full Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors, as well in buying and purchasing Lands and Materials for the Use of the said Navigation, as in employing, ordering, and directing, the Work and Workmen, and in appointing and removing Officers, Clerks, Servants, and Agents, and in making all Contracts and Bargains, touching the said Undertaking; so that no such Purchase, Bargain, or other Matter, be done or transacted without the Concurrence of the said Committee together assembled, or the major Part of them, such Majority not being less than five; and every Owner or Owners of one or more Part or Parts, Share or Shares, in the said Undertaking, shall pay his, her, or their Shares and Proportions of the Monies to be called for as aforesaid, at such Time and Place as shall be appointed, of which one Month's Notice at least shall be given by publishing the same in the *Birmingham* and *Worcester* Newspapers, or in such other Manner as the said Company of Proprietors, their Successors or Assigns, shall at any General Assembly direct or appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money, to be called for as aforesaid, at the Time and Place appointed by such General Assembly or Committee, he, she, or they so neglecting or refusing, shall forfeit the Sum of five Pounds for every one hundred Pounds of his, her, or their respective Shares, Parts, and Interests, in the said Undertaking; and in case such Person or Persons shall neglect to pay his, her, or their rateable or proportionable Part or Share of the said Money to be called for as aforesaid, for the Space of two Calendar Months after the Time appointed for Payment thereof as aforesaid, then he, she, or they so neglecting, shall forfeit his, her, or their respective Share and Shares, Parts and Interests, in the said Undertaking, and all the Profit and Benefit thereof; and the same shall go and belong to the rest of the Company of Proprietors, to be equally divided amongst them in Proportion to their respective Interests in the said Undertaking.

Owners to pay their Shares when called for, &c.

Penalty on Neglect thereof.

XLIV. Provided always, That no Advantage shall be taken of the Forfeiture of any Share or Shares of the said Undertaking, until after personal Notice in Writing be given by the Treasurer or Clerk of the said Company to the Owner, nor unless the same shall be declared to be forfeited at some General Assembly of the said Company of Proprietors, who shall meet within six Calendar Months next after such Forfeiture shall have happened; and every such Forfeiture shall be an Indemnification and Discharge to and for every Proprietor and Proprietors so forfeiting, against all and every Action and Actions, Suits or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract or other Agreement betwixt such Proprietor or Proprietors so forfeiting, and the rest of the Proprietors.

Shares not to be forfeited until after personal Notice, &c.

XLV. And be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, are hereby authorized and required, within the Space of two Months next after the Person or Persons who shall be appointed Treasurer or Treasurers to the said Company, under and by virtue of the Directions contained in this Act, to accept and take a Bond from such Treasurer or Treasurers, with one or more sufficient Surety or Sureties, in such Penalty, or to take such real Security, as to the said Company of Proprietors, their Successors or Assigns, at a General Meeting, shall seem meet; such Bond or Security to be conditioned for the due Payment and Account by such Treasurer or Treasurers, his or their Executors, Administrators or Assigns, of all Monies which shall or may come to his or their Hands, and for the faithful Execution by such Treasurer or Treasurers of such Office; which Bond or other Security, shall, within the Space of three Months after the same shall be given, be inrolled with the Clerk of the Peace for the County of *Worcester*, and a true Copy of such Inrolment, signed by said Clerk of the Peace or his Deputy for the Time being, shall be to all Intents and Purposes competent and legal Evidence, in any Court of Law or Equity, of the due Execution and Existence of such Bond or other Security.

Treasurer to give Security.

Security to be inrolled, within 3 Months after given.

XLVI. And be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall always have Power and Authority, at any General Assembly met as aforesaid, to remove or displace any Person or Persons chosen upon such Committee as aforesaid, or any of their Officers to be appointed by virtue of this Act, and to revoke, alter, amend, or change, any of the Rules and Directions herein before prescribed and laid down with regard to their Proceedings amongst themselves, as to the major Part of them shall seem meet (the Method of calling General Assemblies, and their Time and Place of Meeting, and voting and appointing Committees, only excepted); and shall have Power to make such new Rules, Bye-laws, and Orders, as well for the good Government of the said Company, and the good and orderly using the said Navigation, Tunnels, and Locks, as for the well-governing of the Bargemen, Watermen, and Boatmen, who shall carry any Goods, Wares, and Merchandises, upon any Part of the said Navigation, and to impose and inflict such reasonable Fines or Penalties upon the Offenders against such new Rules, Bye-laws, or Orders, as to the major Part of such General Assembly shall seem meet, not exceeding the Sum of five Pounds for any one Offence; which said Rules, Bye-laws, and Orders, being put into Writing under the Common Seal of the said Company of Proprietors, their Successors and Assigns, shall be binding to and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; provided such Bye-laws are not repugnant to the Laws of the Realm.

General Assemblies may remove Committee Men and Officers, and make Bye-laws.

XLVII. And be it further enacted by the Authority aforesaid, That if any Owner or Owners of any Share or Shares in the said Undertaking, shall die before Payment shall have been made of the full Sum to be advanced on each Share which he, she, or they shall have been possessed of or intitled to, and without having made Provision by Will or otherwise for the Payment of the same, then and in such Case the same shall be answered and paid by the Executors or Administrators of any such Owners dying, or the Trustee or Trustees, Guardian or Guardians, of any Infant or other Person or Persons whatsoever intitled

In case of Death of Subscriber, Executors, &c. may answer Calls, or in Default thereof, Shares may be disposed of.

all the other Works hereby authorized to be made and erected, it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, from Time to Time, and at all Times hereafter, to ask, demand, take, and recover, to and for their own proper Use and Behoof, for the Tonnage and Wharfage of all Iron, Ironstone, Coal, Stone, Timber, and other Goods, Wares, Merchandize, and Commodities whatsoever, which shall be navigated, carried, and conveyed, upon or through the said Canal and collateral Cuts, such Rates and Dues as the said Company of Proprietors, their Successors and Assigns, shall think fit, not exceeding the Sum of Sixpence for every Ton of Iron, Ironstone, Coal, Timber, Stone, and other Goods, Wares, Merchandise, and Commodities, which shall be navigated, carried, or conveyed, upon any Part of the said intended Canal from *Stourbridge* to *Stourton*, and which shall pass through any one or more of the Locks which shall be erected on the said Canal; and also such Rates and Dues as the said Company of Proprietors, their Successors and Assigns, shall think fit, not exceeding the Sum of Sixpence for every Ton of Iron, Ironstone, Coal, Timber, Stone, and other Goods, Wares, Merchandise, and Commodities, which shall be navigated, carried, or conveyed, upon any Part of the said collateral Cuts, or either of them, and which shall pass through any one or more of the Locks to be erected on the said collateral Cuts, or any Part thereof; which said Rates and Dues shall be paid to such Person or Persons, at such Place or Places near to the said Canal and collateral Cuts, in such Manner, and under such Regulations, as the said Company of Proprietors, their Successors and Assigns, shall direct or appoint: And in case of Denial, or Neglect of Payment of any such Rates or Dues, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company of Proprietors, their Successors and Assigns, may sue for the same, by Action of Debt, or upon the Case, in any Court of Record; or the Person or Persons to whom the said Tolls ought to be paid, may, and he and they is and are hereby empowered to seize and distrain such Boat or Vessel, or Goods, for or in respect whereof any Rates or Dues ought to be paid, or any Part of such Goods, and detain the same until Payment thereof, together with reasonable Charges for such Distress; and if such Distress shall not be redeemed within five Days after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent.

LIII. And be it further enacted by the Authority aforesaid, That if any Iron, Ironstone, Coals, Lime, or other Goods whatsoever, which shall be so navigated, carried, or conveyed, shall remain upon any Wharf or Wharfs belonging to the said Company of Proprietors, their Successors and Assigns, for above the Space of twenty-four Hours, then, and in such Case, the said Company of Proprietors, their Successors and Assigns, shall be intitled to and receive such Allowance, over and above the Rates and Dues herein before granted, as shall be agreed upon between the said Company of Proprietors, their Successors and Assigns, or their Agent or Agents, and the Owner or Owners of such Iron, Ironstone, Coals or other Goods; or, in case of Difference concerning the same, as shall be ascertained by the said Commissioners, or any five or more of them.

LIV. Provided always, and be it further enacted by the Authority aforesaid, That all Lime and Limestone, navigated upon the said Canal or collateral Cuts, shall not pay more than one-third Part of the Rates or Dues herein before mentioned; and that Paving-stones, Gravel, Sand, and all other Materials for making and repairing of Roads, (Lime-stone excepted) and also Dung, Soil, Marl, and all Sorts of Manure for the Improvement only of the Lands or Grounds of all and every Person or Persons whose Lands or Grounds shall or may be had or taken for or upon Account of making the said Canal or collateral Cuts, or any Part or Parts thereof, shall not be charged with, or liable to pay, any of the Rates or Dues authorized to be taken by this Act for being carried upon the said Canal or collateral Cuts, or any Part or Parts thereof, but shall be free and exempted from the same, so that the Things hereby exempted from the Payment of the said Rates or Dues do not pass through any Lock authorized to be made by virtue of this Act, but at such Times when the Water shall flow over the Lock Weir: And that all Persons who shall own or be concerned or employed in carrying Paving-stones, Gravel, Sand, or other Materials for the Repair of Roads, or Dung, Soil, Marl, or other Manure, (except Lime and Limestone) shall have free Liberty to make use of the Towing-paths, Wharfs, or Quays, belonging to the said Company of Proprietors, their Successors and Assigns; such Persons not suffering such Paving-stones, Gravel, Sand, or other Materials for repairing Roads, or Dung, Soil, Marl, or other Manure, to lie upon such Wharfs or Quays longer than may be necessary for loading, unloading, and conveying the same from and to the several Places where they are put on board and unloaded, and making good any Damages that may be done to the Sides or Banks of the said Canal or collateral Cuts, by the loading, unloading, or discharging, any Boats or other Vessels; which Recompence or Satisfaction, in case of any Difference, shall be settled and ascertained by the said Commissioners, or any five or more of them.

LV. And be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall, at their first General Assembly, to be held by the Direction of this Act, ascertain and fix the Rates or Dues to be taken by virtue of this Act; and that it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, at any General Assembly to be afterwards held for that Purpose, (of which three Months Notice at the least shall be given in the Manner herein after mentioned) to lessen or reduce all or any of the said Rates or Dues fixed at such first General Assembly, as aforesaid, as the said Company of Proprietors, their Successors and Assigns, shall think proper; and afterwards from Time to Time, at any General Assembly, of which such Notice shall be given as aforesaid, to advance and raise all or any of the said Rates or Dues so lessened: Provided always, That the Rates or Dues so to be advanced, ascertained, and fixed, as aforesaid, shall not in any Case exceed the Rates or Dues herein before granted; and that no Reduction of the said Rates or Dues shall be made without the Consent of the Proprietors possessed of at least two-thirds of the Shares in the said Navigation: Provided always, That any Reduction to be made from Time to Time out of the said Rates, Tolls, or Duties, shall, before it is put in Force, have the Approbation of the major Part of the said Commissioners

If Rates not paid on Demand, Proprietors may sue for the same, or distrain the Vessel, &c.

Additional Tonnage for Goods left on Company's Wharf above 24 Hours.

Exemptions from Rates in certain Cases.

Persons carrying Paving-stones, &c. may make use of Towing-paths, &c.

Proprietors may alter Rates from Time to Time.

No Reduction to be made, without the Approbation of the major Part of the said Commissioners

probation of a Majority at a General Meeting.

Three-pence to be taken for every Ton of Coals which shall have passed through any of Locks on the intended Dudley Canal.

Commissioners assembled at a General Meeting to be held forth at *Stourbridge*, or such other Place within three Miles of such Canal, as the said Proprietors shall appoint; Notice of such Meeting, and of the Purpose for which it is to be held, to be given in the *Worcester* and *Birmingham* News-papers, at least six Weeks before such Meeting; and provided that there be twenty-one Commissioners at least present at such Meeting; any Thing in this Act to the contrary notwithstanding.

‘LVI. And whereas the principal Object for making the said *Dudley* Canal is to convey Coals from certain Mines which lie upon or near to the Course of the said intended Canal, and the Public may be supplied with Coals at a more reasonable Rate,’ be it therefore enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall, and they are hereby required, from Time to Time, and at all Times hereafter, to abate and allow out of the Rates and Dues which shall from Time to Time be ascertained, fixed, and taken, by the said Company of Proprietors, their Successors and Assigns, for Tonnage and Wharfage, upon the said collateral Cuts, the Sum of Three-pence upon each and every Ton of Coals which shall be navigated, carried, or conveyed, upon the said collateral Cuts, and which shall have passed through any of the Locks, to be erected upon the said intended *Dudley* Canal; but that nothing herein contained shall hinder or prevent the said Company of Proprietors from demanding or recovering the full Rates and Dues to be from Time to Time ascertained, fixed, and taken, by the said Company of Proprietors, their Successors or Assigns, for Tonnage and Wharfage upon the said Canal, from *Stourbridge* to *Stourton*: Provided also, That it shall and may be lawful to and for the said Company of Proprietors, their Successors or Assigns, at any Time hereafter, at any General Assembly, to lessen or reduce the Dues and Rates for Tonnage and Wharfage upon all or any other Kind of Goods and Merchandise which shall be navigated upon the said Canal and collateral Cuts intended to be made by virtue of this Act, and which shall be navigated upon the said proposed *Dudley* Canal, and afterwards, at any other General Assembly, to advance the Rates and Dues upon all such last-mentioned Goods and Merchandise, so as that the same do not exceed the full Rates and Dues herein before granted.

‘LVII. And whereas by an Act, passed in the sixth Year of his present Majesty, certain Persons therein named, their Successors and Assigns, were incorporated by the Name of *The Company of Proprietors of the Staffordshire and Worcestershire Canal Navigation*, and were thereby enabled to make a navigable Canal from the River *Severn*, between *Bewdley* and *Titonbrook*, in the County of *Worcester*, to join and communicate with a Canal then intended to be made between the River *Trent* and the River *Mersey*, at or near *Haywood-mill*, in the County of *Stafford*; and to raise such Sums of Money for accomplishing the said Undertaking as are therein particularly mentioned; which said Sums being found insufficient for completing the said Navigation, the said Company of Proprietors, by another Act, passed in the tenth Year of the Reign of his present Majesty, were authorised to raise such further Sums of Money as are therein mentioned for completing the same, and the said Navigation hath been since accordingly completed: And whereas a great Inducement to the said Company of Proprietors to undertake the making of the said Navigation was, the Advantage expected to arise from Coals to be navigated on the said Canal in general, and particularly from *Autherley* near *Wolverhampton*, in the said County of *Stafford*, down to the River *Severn*, which is a Distance of twenty-five Miles and upwards: And whereas the Navigation intended to be made by virtue of this Act will fall into and communicate with the said *Staffordshire* and *Worcestershire* Canal Navigation, at or near a certain Place called *The River Stour Aqueduct*, near *Stourton*, in the said County of *Stafford*, which, by the Course of the *Staffordshire* and *Worcestershire* Canal, is about twelve Miles and an Half distant from the River *Severn*, where the said *Staffordshire* and *Worcestershire* Canal falls into the said River; by means whereof the Owners of Coal-mines lying in the Neighbourhood of *Stourbridge* will be enabled greatly to undersell the Owners of Coal-mines lying in the Neighbourhood of *Bilston*, *Coseley*, and *Tipton*, in the County of *Stafford*, at the *Severn* Markets, which will tend to the manifest Injury of the said Collieries as well as of the said *Staffordshire* and *Worcestershire* Canal Navigation, unless Powers are given to the said Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation to regulate their Tonnage upon Coals in such Manner as to bring the same, from all the said respective Coal-mines, to the Market of the Public, upon a nearer Footing of Equality, by advancing the Tonnage in Manner herein after directed upon the said last mentioned Canal Navigation, and by reducing the Tonnage upon all or any Part of the said Navigation, pursuant to an Agreement for that Purpose: And whereas the said Company of Proprietors of the said *Staffordshire* and *Worcestershire* Canal Navigation were impowered, by virtue of the said Acts of the sixth and tenth Years of the Reign of his present Majesty, to receive and take a Tonnage of one Penny Halfpenny per Mile upon the said Canal Navigation, but were not thereby impowered to make any partial or particular Reduction thereof, and the same cannot be done without the Aid of Parliament;’ be it therefore enacted by the Authority aforesaid, That for the better carrying the said Agreement into Execution, and for the Benefit and Relief of the Owners of Coal-mines near *Bilston*, *Coseley*, and *Tipton*, in the said County of *Stafford*, and of the Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation in Manner aforesaid, it shall and may be lawful, to and for the said Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation, their Successors and Assigns, or such Person or Persons as they shall, from Time to Time, authorise and appoint, to lay, impose, demand, take, and receive, from Time to Time, and at all Times hereafter, such Tolls, Rates or Duties, upon all Coals which shall be brought down the said intended *Stourbridge* Canal Navigation, and which shall be navigated, carried, or conveyed, upon, through, or along, the said *Staffordshire* and *Worcestershire* Canal Navigation, for the sole Use and Benefit of the said Company of Proprietors of the said *Staffordshire* and *Worcestershire* Canal Navigation, as the said Company of Proprietors, their Successors or Assigns, shall think fit, not exceeding the Sum of Two-pence for every Ton of Coals which shall be so navigated, carried, or conveyed, for the Space of one Mile, and so in proportion for any Quantity greater or less than a Ton, and for any Space greater or less than a Mile; which said Tolls, Rates, or Duties, shall be paid to such Person or Persons,

A Duty of a d. per Ton per Mile, may be laid upon all Coals that shall be navigated upon the *Staffordshire* Canal Navigation.

at such Place or Places, and in such Manner, and under such Regulations, and, in case of Neglect or Denial of Payment thereof, the Boat or Vessel and Coals shall be subject to such and the same Powers of Seizure, Distress, and Sale, together with Payment of all reasonable Charges attending the same, and the Owner or Owners of such Boat or Vessel shall be subject and liable to such Action or Actions, as in and by the said herein-before recited Acts, passed in the sixth and tenth Years of the Reign of his present Majesty, or either of them, are thereby provided for the paying, receiving, and Recovery of the Tolls, Rates, or Duties, and Penalties thereby granted or allowed to be taken and received by the said Company of Proprietors, their Successors and Assigns; and also, that it shall and may be lawful to and for the said Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation, from Time to Time to lessen or reduce the Tolls, Rates, or Duties, herein and by the said recited Acts granted to the said Company, upon any Part or Parts of their said Canal, and for any Distance or Distances the said Company of Proprietors, their Successors and Assigns, shall think fitting, such Reduction being made with the Consent of the major Part of the Commissioners, appointed by the said recited Act passed in the sixth Year of the Reign of his present Majesty, assembled for that Purpose, of which Assembly or Meeting of such Commissioners twenty-one Days Notice at least shall be given in one of the *Birmingham* News-papers; provided there be twenty-one Commissioners at least present at such Meeting; and further, that it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, by themselves alone, and without the Consent or Interposition of the said Commissioners, at any subsequent Assembly or Meeting of the said Company of Proprietors, again from Time to Time to raise and advance all or any of the said Tolls, Rates, or Duties, so lessened or reduced, to any Sum or Sums of Money not exceeding the respective Tolls, Rates, or Duties, in and by the said recited Acts and this Act granted; any Thing herein, or in the said recited Acts, or either of them, contained to the contrary thereof in any-wise notwithstanding.

Proprietors of Staffordshire Canal empowered to reduce their Tolls, and to raise them againe

LVIII. Provided always, That in case the said intended Navigation, by this Act authorised to be made, shall join and communicate with the said *Staffordshire* and *Worcestershire* Canal, at a certain Flash of Water near the said River *Stour* Aqueduct; or within sixty Yards of the East Wing Wall of the said Aqueduct, on the Towing-path Side of the said Canal, then it shall and may be lawful to and for the said Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation, to demand, take, and receive such Tolls, Rates, and Duties, on Coals as aforesaid, not exceeding the Sum of Two-pence for every Ton of Coals which shall be navigated, carried, or conveyed, upon the said *Staffordshire* and *Worcestershire* Canal Navigation, or any Part thereof, for the Distance of one Mile, and so in Proportion for any greater or less Distance than a Mile, to be computed from the Place where the said intended Canal by this Act authorised to be made shall join and communicate with the said *Staffordshire* and *Worcestershire* Canal; but in case the said intended Canal shall join and communicate with the said *Staffordshire* and *Worcestershire* Canal at a greater Distance than sixty Yards from the East Wing Wall of the said Aqueduct, then, and in such Case, the said Tonnage shall commence and be computed from the Distance of sixty Yards from the said East Wing Wall of the said Aqueduct; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

At what Places the aforesaid Toll of s. d. per Ton on Coals, on the Staffordshire Canal, is to commence.

LIX. And, for the more easy collecting the said Rates and Dues hereby laid and directed to be paid, be it further enacted by the Authority aforesaid, That the Master, Owner, or Manager, of every Boat, Keel, or other Vessel, navigating upon the said intended Canal or collateral Cuts, shall give a just Account in Writing, signed by the Master, Owner, or Person having the Rule or Command of every such Boat or Vessel, to the Collectors of the said Rates or Dues at the Place or Places where they shall attend for that Purpose, of what Quantity of Goods shall be in or belonging to such Boat or other Vessel, from whence brought, and where they intend to land the same; but if the Goods contained in such Boat shall be liable to the Payment of different Rates or Dues, then such Master, Owner, or Person, shall specify the Quantities liable to the Payment of the said Rates or Dues; and in case they shall neglect or refuse to give such Account, or shall give a false Account, or shall deliver any Part of their Loading or Goods at any other Place or Places than what is or are mentioned in such Account, every such Person shall forfeit and pay, to the said Company of Proprietors, their Successors and Assigns, the Sum of ten Shillings for every Ton of Goods which shall be in such Boats or other Vessels respectively, of which such Account shall be so refused to be given, or of which such false Account shall be given, or which shall be delivered out contrary to such Account as aforesaid, as the Case shall happen to be, over and above the respective Rates or Dues payable for the same; and in case of Neglect, Refusal, or Denial of Payment, on Demand, of such Forfeiture or Forfeitures before mentioned, or any Part thereof, to the said Company of Proprietors, their Successors and Assigns, that then, and in such Case, the same shall be recovered and levied in such Manner and by such Methods as the said Rates or Dues herein before granted to the said Company of Proprietors, their Successors and Assigns, are directed and appointed to be levied and recovered.

Masters of Boats, &c. to give an Account in Writing to the Collectors, of Goods on Board.

Penalty on Default.

LX. And, for the better ascertaining the Tonnage of Timber and Wood to be charged with the Payment of such Rates or Dues as aforesaid, be it further enacted, That forty Feet of round, or fifty Feet of square Oak, Ash, or Elm Timber, and fifty Feet of Fir or Deal Balk, Poplar, and other Wood, shall, for the Purpose of this Act, be deemed, rated, and estimated, as and for one Ton Weight; and that Six-score Pounds Weight Avoirdupoize shall, for the like Purpose, be deemed and taken as and for one hundred Weight; any Usage of rating or estimating the same to the contrary hereof notwithstanding.

How many Feet of Timber to be deemed a Ton, &c.

LXI. And be it further enacted by the Authority aforesaid, That if any Difference shall arise between any Collector of the said Rates and Dues, and the Master or Person having Charge of any Boat or Vessel, or the Owner of any Goods, Wares, or Merchandise, concerning the Weight or Quantity of the same, it shall be lawful for any such Collector to stop and detain any such Boat or Vessel, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, all such Goods, Wares, and Merchandise, as shall

Collectors may weigh or measure Goods.

Charges of weighing, &c. how to be paid.

shall be therein contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than the Account given of the same by the Master, Owner, or Person as aforesaid, such Master, Owner, or Person, shall pay the Costs and Charges of such weighing, measuring, and gauging; all which said Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the said Rates and Dues herein before granted are or can be recovered and levied: But if such Goods, Wares, and Merchandise, shall appear to be of the same or less Weight or Quantity than the Account given in by such Master, Owner, or Person, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master or Person, or to the Owner or Owners of such Goods, Wares, and Merchandise, such Damages as shall appear to the said Commissioners, or any five or more of them, upon the Oath of one or more credible Witnesses or Witnesses, to have arisen from such Detention; and in Default of immediate Payment thereof, the same shall be recovered from the Company of Proprietors of the said Navigation, their Successors or Assigns, by Action of Debt, in any of his Majesty's Courts of Record.

Navigation to be free on Payment of Tolls.

LXII. And be it further enacted by the Authority aforesaid, That all Persons whatsoever shall have free Liberty to use with Horses, Cattle, and Carriages, the private Roads and Ways (except the Towing-paths) for the Purpose of conveying any Goods, Wares, Merchandise, and Commodities whatsoever, to or from the said Canal and collateral Cuts; and also to navigate upon the said Canal and collateral Cuts with any Boats or other Vessels not exceeding seven Feet in Breadth, and to use the said Wharfs and Quays for loading and unloading any Goods, Wares, Merchandise, and Commodities; and also to use the said Towing-paths with Horses for haling and drawing such Boats and Vessels, upon Payment of such Rates and Dues as shall be demanded by the said Company of Proprietors, their Successors and Assigns, not exceeding the Rates herein before mentioned.

No Boat under 15 Tons to pass through any Lock, &c.

LXIII. Provided always, That no Boat or other Vessel of less Burthen than fifteen Tons shall pass through any of the Locks to be made by virtue of this Act, without the Consent of the said Company of Proprietors, their Successors or Assigns, or their Principal Agent for the Time being, in Writing first had and obtained.

Owners of adjoining Lands may use Pleasure boats.

LXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Owners and Occupiers of any Lands adjoining to the said Canal and collateral Cuts, to use any Pleasure Boat or Boats upon the said Canal and collateral Cuts (so as the same do not pass through any Lock), without the Consent of the said Company of Proprietors, their Successors or Assigns, and without paying any Rate or Due for the same; and so as such Boat be not used for carrying any Goods, Wares, or Merchandise, and do not obstruct or prejudice the said Navigation.

Drains, &c. to be made for the Benefit of Lands adjoining,

LXV. And, to the End that the said Navigation may be carried on with as little Damage to private Property as possible, be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall, and they are hereby required, at their own proper Costs and Charges, to make, or cause to be made, such Arches, Tunnels, Drains, or other Passages, over, under, or into, the said Canal and collateral Cuts, and the Trenches, Streams, and Watercourses, communicating therewith, and the Towing-paths on the Sides thereof, of such Depth and Breadth as shall be sufficient at all Times to convey the Water from the Lands adjoining or lying near to the said Canal or collateral Cuts, without obstructing or impounding the same; and also to make proper Watering-places for Cattle, where, by means of the said Canal or collateral Cuts, Cattle shall have been deprived of Watering-places; and that all such Arches, Tunnels, Drains, or other Passages, shall, from Time to Time, be supported, maintained, and kept in good and sufficient Repair, by the said Company of Proprietors, their Successors and Assigns; and if at any Time or Times, after one Calendar Month's Notice shall be given by or on Behalf of any of the Owners or Occupiers of the said adjacent Lands, who shall find him, her, or themselves aggrieved by the Obstruction of the said Watercourses, to the said Company of Proprietors, or to their Clerk, Agent, or Collector, for the Time being, the said Arches, Tunnels, Drains, or other Passages, shall not be made, cleansed, and repaired, according to the true Intent and Meaning of this Act, it shall and may be lawful for any Person or Persons, having an Order in Writing for that Purpose from any five or more of the said Commissioners, from Time to Time, as often as there shall be Occasion, to make, cleanse, and repair, such Arches, Tunnels, Drains, or other Passages; and the reasonable Expenses thereof, to be ascertained by the said Commissioners, or any five or more of them, shall be defrayed by the said Company of Proprietors, their Successors and Assigns; and in case of Neglect or Refusal to satisfy the same for the Space of one Calendar Month after Demand thereof made upon the said Company of Proprietors, or their Clerk, Agent, or Collector, such Expenses shall and may be recovered and levied in such Manner as the Costs and Charges of making and erecting Bridges and other Works, by the Owners or Occupiers of Land, are by this Act directed and appointed to be recovered and levied.

and kept in Repair by the Proprietors.

Towing-paths to be fenced from the adjoining Lands.

LXVI. And be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall, within the Space of twelve Calendar Months after any Land shall be taken for the Use of the said Canal or collateral Cuts, at their own proper Costs and Charges, divide and separate, and keep constantly divided and separated, the Towing-paths on each Side of the said Canal and collateral Cuts, Trenches, or Passages, or such Part or Parts thereof as shall be necessary, by Posts and Rails, Hedges, Ditches, Trenches, Banks, or other Fences, from the remaining Lands or Grounds adjoining to such Towing-paths, and from which such Lands for the Use of the said Canal or collateral Cuts shall have been taken; and shall, at their own proper Costs and Charges, from Time to Time, maintain and support the said Towing-paths, and the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences, so erected, set up, or made, as aforesaid; and also shall, at their own Charges, make, erect, and set up, such and so many convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them so made on the Sides of such Towing-paths as aforesaid, and also such Bridges,

Gates, Bridges, &c. to be erected.

Arches,

Arches, and Passages, over, under, or through, the said Canal and collateral Cuts, and the said Trenches, Streams, and Watercourses, and of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall from Time to Time judge necessary and appoint, for the Use of the Owners and Occupiers of the Lands, Grounds, or Hereditaments, adjoining to such Canal or collateral Cuts, Trenches, Streams, Watercourses, and Towing-paths, or any of them respectively; and the said Company of Proprietors, their Successors and Assigns, shall not make the said Canal or collateral Cuts, or any Trench or Watercourse, or any Part thereof, in or across any Common Highway, Public Bridleway, or Foot-path, until such Time as they shall, at their own proper Charges, have made and perfected such Bridges, Passages, or Arches, over, through, or under, the Places where the said Canal, collateral Cuts, Trenches, or Watercourses respectively, shall be intended to be made for such Road, Way, or Path, and of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall adjudge proper; and all such Gates, Stiles, Bridges, Arches, and other Conveniences, so to be made, shall, from Time to Time, be supported, maintained, and kept in sufficient Repair, by the said Company of Proprietors, their Successors and Assigns.

LXVII. And be it further enacted by the Authority aforesaid, That in case the said Company of Proprietors, their Successors and Assigns, or their Agents, shall fail or neglect to divide and separate, and to keep divided and separated, the Towing-paths of the said Canal and collateral Cuts, Sluices, and Passages, in Manner herein before directed, or to make, erect, and set up, such Gates, Bridges, and Stiles, in and over the Fences on the Sides of the Towing-paths, or such Bridges, Arches, and Passages, over, under, or through the said Canal and collateral Cuts, and the said Trenches, Streams, and Watercourses, as aforesaid, or to make such Watering-places for Cattle as herein before directed, for the Use and Convenience of the respective Owners or Occupiers of the Lands adjoining thereto, of such Dimensions, and in such Manner, as the said Commissioners, or any five or more of them, shall from Time to Time direct or appoint, for the Space of three Calendar Months next after the respective Times to be appointed for those Purposes by the said Commissioners, or any five or more of them; then, and in every such Case, it shall and may be lawful to and for any of the Owners or Occupiers of the said adjacent Lands or Grounds, who shall find themselves aggrieved by any such Failure or Neglect, to make, erect, and set up, all such Gates, Stiles, Bridges, Arches, Passages, Watering-places, and other Conveniences aforesaid, as the said Commissioners, or any five or more of them, shall have before directed or appointed to be made, erected, and set up, by the said Company of Proprietors, their Successors and Assigns, as aforesaid; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Commissioners, or any five or more of them, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, who shall have so made and erected the said Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniences as aforesaid, by the said Company of Proprietors, their Successors and Assigns, within the Space of twenty-one Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof: And in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners, or any five or more of them, shall, and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company of Proprietors, their Successors and Assigns, which shall be found upon the said Canal, collateral Cuts, or the Wharfs, Quays, or Warehouses, adjoining or near the same, to be applied to and for the Use of such Person or Persons who shall have so laid out and expended the same as aforesaid, rendering to the said Company of Proprietors, their Successors or Assigns, or to some of their Agents, the Overplus (if any there be), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners, or any five or more of them; or otherwise, the said Owners or Occupiers of Land, who shall have made, erected, or set up, any such Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniences as aforesaid, shall and may have such and the like Remedy against the said Company of Proprietors, their Successors and Assigns, for the Recovery of such Costs and Charges, by Action at Law, to be commenced and prosecuted in such Manner, as in other Cases is in and by this Act mentioned and directed.

LXVIII. And be it further enacted by the Authority aforesaid, That in case the said Posts, Rails, Hedges, Ditches, Trenches, Banks, or other Fences aforesaid, or the said Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniences, shall be out of Repair, it shall be lawful for the respective Owners and Occupiers of Lands and Grounds who shall be affected thereby, or any of them, to apply to the said Commissioners, or any five or more of them, for Power to repair the same (giving at least fourteen Days previous Notice of such intended Application to the said Company of Proprietors, and of the Time and Place of making such Application, by inserting the same in the *Birmingham* and *Worcester* News-papers, or in such other Manner as the said Company of Proprietors, their Successors or Assigns, shall, at any General Meeting, direct or appoint); and the said Commissioners, or any five or more of them, are hereby authorized, by Warrant in Writing under their Hands and Seals, to authorize and empower such Owners or Occupiers to make good such Repairs as to them shall seem necessary, in case the said Company of Proprietors shall not, within thirty Days from the Time of granting such Warrant, cause the same to be done; and the said Owners or Occupiers respectively shall have and recover the Costs and Charges thereof by such Ways and Means as are herein before provided for recovering the Costs and Charges of making, erecting, and setting up the same originally, by the said Owners or Occupiers respectively.

LXIX. And be it further enacted by the Authority aforesaid, That all Coals, Glass-house Pot-clay, Limestone, Ironstone, and other Minerals, which shall be found and dug up in making, carrying on, and completing, the said Canal and collateral Cuts, or any other Works hereby authorized to be made, carried on, and completed, shall be laid upon the Surface of the Lands in some convenient Place near the said Works, at the Expence of the said Company of Proprietors, their Successors and Assigns; and it shall

If Proprietors neglect to separate Towing-paths, &c.

Occupiers of adjacent Lands may do it,

who shall be reimbursed by the Proprietors.

In Default of Payment, to be levied by Distress.

In case the Company neglect to repair Rails, Hedges, &c; Occupiers of Lands may do it,

Coals, &c. found in digging the Canal, may be taken by Proprietors of Lands,

Proprietors of
Mines, &c. may
make Drains to
carry Water
from the same,
&c.

and may be lawful to and for the Persons respectively in whose Land or Ground the said Coals, Glass-house Pot-clay, Limestone, Ironstone, and other Minerals, shall be found and dug up, to take, carry away, and dispose of the same to and for his and their own Use and Benefit; and that it shall and may be lawful to and for the said Owners or Proprietors of any such Mines, Glass-house Pot-clay, Limestone, Ironstone, and other Minerals, which shall or may be discovered or cut in any Tunnel or Aqueduct which shall be made by virtue of this Act, to make a Sough or Soughs, Drain or Drains, to water or drain the remaining Part of such Mines or Minerals, and to discharge the Water arising and flowing from the same into such Tunnel or Aqueduct; provided that such Settling-places be made at convenient Distances in such Soughs or Drains as shall be approved and directed by the said Company of Proprietors, their Successors or Assigns, or their principal Engineer for the Time being, and the same shall be cleansed as often as shall be necessary at the Expence of the Person or Persons to whom the same shall belong, in order to prevent the Mud and Earth from being conveyed into such Tunnel or Aqueduct; provided that such Parts of the said Soughs or Drains as shall be under or within the Distance of ten Yards from such Tunnel or Aqueduct on either Side thereof, shall not exceed four Feet in Breadth, and that the same shall be performed under the Direction and Inspection of the said Company of Proprietors, their Successors or Assigns, or their principal Engineer for the Time being; and that no Owner or Proprietor of any Mines or Minerals, their Workmen or Servants, or other Person whatsoever, shall open or carry on any Work for digging, getting, or discovering, such Mines or Minerals, under any Tunnel, or within twenty Yards of the same, without the Consent of the said Company of Proprietors, their Successors and Assigns; and that no Water shall be taken or drawn off lower than the Level of the Water in the said Canal and collateral Cuts, by any Works to be made, carried on, or erected, for getting such Coals, Glass-house Pot-clay, Limestone, Ironstone, or Minerals, within twenty Yards of any such Tunnel or Aqueduct, unless such Water shall be returned into the said Canal or collateral Cuts through such Tunnel or Aqueduct; and that no Owner or Proprietor of any Mines or Minerals, their Workmen or Servants, or other Person whatsoever, shall, on any Account whatever, open, dig, sink, or carry on, any Work for the getting of Coal, Limestone, Ironstone, or Mineral, within the Distance of twelve Yards from the said intended Canal or collateral Cuts as aforesaid; nor shall any Coals, or other Minerals, be got under any Part of the said Canal or collateral Cuts, or the Towing-paths thereunto belonging, or under any Reservoir or Reservoirs to be made by the said Company of Proprietors, their Successors or Assigns, or within or under any Land or Ground lying within the Distance of twelve Yards of either Side of the said Canal or collateral Cuts, or of any Reservoir or Reservoirs, on any Account whatsoever, except as herein after mentioned, without the Consent of the said Company of Proprietors, their Successors and Assigns, in Writing under their Common Seal for that Purpose, first had and obtained.

Mines not to be
worked within
12 Yards of
Canal.

Method of get-
ting Coal, &c.
under Canal.

LXX. Provided nevertheless, That when any Mine of Coal, Ironstone, or other Mineral, which shall be worked agreeable to the Directions of this Act, or any Vein thereof, shall extend beyond the Limits herein before allowed for working the same, it shall and may be lawful for the Owner of any such Mine, without any such Consent as aforesaid, from Time to Time, upon making sufficient and necessary Headways or Tunnels under the said Canal and collateral Cuts and Towing-paths, and also under any Ground where such Owners are restrained from working as aforesaid, to dig, make, and get, such Coal, Ironstone, or other Minerals, beyond such Limits; so as such Headways or Tunnels do not exceed six Feet in Height, nor four Feet in Breadth; and so as the same are not made nearer together than nine Feet; any Thing herein contained to the contrary hereof in any wise notwithstanding.

Method of dis-
covering when
Mines are work-
ing under or
near the Canal.

LXXI. And, for the better discovering Persons who shall or may open, dig, sink, or carry on, any Work for the getting of Coal or other Minerals contrary to the Directions of this Act, be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, by themselves, their Agents and Servants, from Time to Time, and at all Times hereafter, to enter upon any Lands or Grounds, through or near which the said intended Canal and collateral Cuts, and other Works hereby authorised to be made, shall be or pass, wherein any Coal or other Mines shall or may be dug or opened, and likewise to enter into such Coal or other Mines, and there to view, search, measure, latch, and use all other Means for the discovering the Distance of the said intended Canal, collateral Cuts, or Towing-paths, and Reservoirs, from the working Parts of such Mines respectively; and in case it shall appear that any Mine hath been worked or got contrary to the Directions of this Act, it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, and to and for their Agents, Servants, and Workmen, at the Expence, Costs, and Charges, of the Owners or Proprietors of all such Mines respectively, to enter into and upon all such Mines, and from Time to Time to use all necessary and reasonable Ways and Means for repairing, supporting, sustaining, securing, and making safe the said Canal, collateral Cuts, Towing-paths, and other Works; and such Expences, Costs, and Charges, shall be recovered by the said Company of Proprietors, their Successors and Assigns, in such and the same Manner as the Rates or Dues herein before granted are to be recovered, and shall be paid into the Hands of the Treasurer or Receiver for the Time being to the said Company of Proprietors, to be applied for the Purposes of this Act.

How Proprie-
tors to proceed
in such Cases.

Company to in-
spect Coal-
mines, &c.

LXXII. Provided always, and be it further enacted, That when and so often as the Owner or Proprietor of any Coal-mine, Limestone, or other Minerals, lying under the said Canal or collateral Cuts, or any such Reservoir or Reservoirs as aforesaid, or within the Distance herein before limited, shall be desirous of working the same, then, and in every such Case, such Owner or Proprietor shall give Notice in Writing, under his, her, or their Hand or Hands, of such his, her, or their Intention, to the Clerk for the Time being of the said Company of Proprietors, at least three Calendar Months before he, she, or they, shall begin to work such Mines, lying under the said Canal or collateral Cuts, or the said Reservoir or Reservoirs, or within the Distance aforesaid; and upon the Receipt of such Notice, it shall and may be lawful for the said Company of Proprietors, their Successors and Assigns, to inspect, or cause such Mines

to be inspected, in order to determine what Coal or other Minerals may be come at, and be actually gotten: And if the said Company of Proprietors, their Successors or Assigns, shall fail or neglect to inspect, or cause such Mines to be inspected, within thirty Days after the Receipt of such Notice, then it shall and may be lawful for the Owners or Proprietors of such Mines, and they are hereby respectively authorized to work and get such Part of the said Mines as lie under the said Canal or collateral Cuts, or the said Reservoir or Reservoirs, or within the Distance aforesaid: And if, upon such Inspection as aforesaid, the said Company of Proprietors, their Successors or Assigns, shall refuse to permit the Owners or Proprietors of the said Mines to work such Part of the said Mines as lie under the said Canal or collateral Cuts, or the said Reservoir or Reservoirs, or within the Distance aforesaid, or any Part thereof, as they might, from Time to Time, have come at and actually gotten, or in any other Manner obstruct or prevent them from getting the same; then the said Company of Proprietors, their Successors and Assigns, shall, within three Calendar Months after such Refusal or Obstruction as aforesaid, pay, or cause to be paid, to the Owners, Proprietors, or Workers of such Mines respectively, such Price or Prices for the same, in proportion to their several Interests therein, as the next adjoining Mines of equal Quality shall have been really and bona fide sold for, or be estimated or valued at: And if any Question or Dispute shall arise between the said Company of Proprietors, their Successors or Assigns, and the Owners, Proprietors, or Workers of the said Mines, their Executors or Administrators, touching any of the Matters aforesaid, then the same shall be settled and ascertained by the said Commissioners, or any five or more of them, in such Manner, and subject to the Verdict of a Jury, if required, as the Value of the Lands for making the said Canal and collateral Cuts and Towing-paths is by this Act directed to be settled and ascertained; and, in Default of Payment of such Sum or Sums of Money, the said Commissioners, or any five or more of them, are hereby impowered 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 said Company of Proprietors, their Successors or Assigns, which shall be found upon the said Canal or collateral Cuts, or the Wharfs, Quays, or Warehouses, adjoining or near to the same, to and for the Use of such Owners or Proprietors of the said Mines, their Executors or Administrators, as the Case may be; or otherwise the said Owners or Proprietors, their Executors or Administrators respectively, may sue for and recover the same by Action of Debt, in any of his Majesty's Courts of Record at Westminster.

On Failure whereof, Owners may work the same;

or the Company shall make them Satisfaction.

Disputes to be settled by the Commissioners, &c.

LXXIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Owner or Owners, or Proprietors, of any Mines or Minerals, and they are hereby authorized to work, carry on, and drain the same; and to make Cuts through his or their own Lands to communicate with the said Canal or collateral Cuts, in such Manner as they shall think proper, subject to the Terms and Conditions of this Act, so as no Injury or Damage be done thereby to the said Navigation, and so as the Person or Persons making such Cuts shall (if thereunto required by the said Company of Proprietors, their Successors or Assigns) make, erect, and maintain, one or more Stop-gate or Stop-gates on every such Cut, in order to prevent the Water being drained or wasted out of the said Canal or collateral Cuts, by means of making any such Cuts to communicate therewith as aforesaid.

Owners of Mines may make Cuts through their own Grounds.

LXXIV. And, in order that the Owners of Mines, lying at a greater Distance from the said Canal or collateral Cuts, may not be prevented from bringing their Coals and Minerals by the Owners of Lands lying nearer to or between the said Mines and the said Canal or collateral Cuts, but may have, as well as the Public, the Benefit of the proposed Navigation, be it further enacted by the Authority aforesaid, That in case the Owner or Proprietor, Owners or Proprietors, of any Coal-mines, Ironstone, Limestone, or other Mines, lying within the Distance of one thousand Yards from the said Canal, or either of the said collateral Cuts, shall find it expedient and necessary to make one or more Railway or Railways, Road or Roads, to convey his, her, or their Coals, Ironstone, Limestone, or other Minerals, to the said Canal, or either of the said collateral Cuts, over the Land or Ground of some other Person or Persons, that then, and in every such Case, it shall and may be lawful to and for such Person or Persons, being the Owner or Owners of such Lands or Grounds, within the Distance of one thousand Yards from the said Canal or collateral Cuts, over which such Railway or Road is intended to be made, to treat and agree with the Proprietor or Owner, Proprietors or Owners, of such Mines for the Damage the Owner of any such Lands or Grounds shall or may sustain by making such Railway or Railways, Road or Roads, as aforesaid; and in case the Owner or Owners of any such Lands or Grounds, and the Owner or Proprietor, Owners or Proprietors, of such Mines, cannot agree concerning the Recompense to be made for such Loss or Damage as aforesaid, that then it shall and may be lawful to and for the Owner or Proprietor, Owners or Proprietors, of such Mines, to apply to any nine or more of the said Commissioners to ascertain the Course and Direction, and also the Distance (not exceeding one thousand Yards) which any such Railway or Road shall be made; and the said Commissioners, or any nine or more of them, shall, upon such Application, appoint a Meeting for ascertaining and fixing the Course and Direction, and also the Distance (not exceeding one thousand Yards) of such Railway or Road, of which Meeting fourteen Days previous Notice shall be given in Writing to the Owner or Owners of such Lands or Grounds, which Notice shall also express the Line or Course, and Distance of such intended Railways or Roads respectively; and the said Commissioners shall view the Place in question, and examine Evidence upon Oath touching the same (all which Oaths any one of the said Commissioners is hereby impowered to administer); and if it shall appear to the Commissioners assembled at such Meeting, or the major Part of them, that such Railways or Roads respectively is or are necessary and fitting to be made, that then, but not otherwise, it shall and may be lawful to and for the Owner or Proprietor, Owners or Proprietors of such Mines, to make and open Communications with his, her, or their respective Mines or Works, and the said Canal or collateral Cuts, by making, erecting, and opening, such Railways or other Roads, and to use the same with Horses, Carts, or other Carriages, through and over the Lands or Grounds of such Person or Persons as aforesaid (not being a Dwelling house, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or

Owners of Mines impowered to make Railways, &c.

If Parties cannot agree, may apply to the Commissioners,

who are to view the Place, and settle the Differences, &c.

Lawn inclosed or adjoining to a Mansion-house), in such Manner as to such Owners or Proprietors respectively shall seem expedient; provided that no Damage, Impediment, or Inconvenience, shall or may be occasioned to the said Navigation by means of such Communications, and the Owners or Proprietors of any such Mines or Minerals making full Satisfaction for all Damages to be sustained by the Owners and Proprietors of any such Lands by reason of the making such Roads or Railways; and in case the said Owners or Proprietors of any such Mines or Minerals, and the Owners and Occupiers of any such Lands, cannot agree touching the Satisfaction to be made, the same shall be settled and ascertained by the said Commissioners, or any five or more of them, in such Manner, and subject to the Verdict of a Jury if required, as the Value of the Lands to be taken for making the said Canal and collateral Cuts is by this Act directed to be settled and ascertained; and in Default of Payment of such Sum or Sums of Money, the same to be recovered in Manner as is herein before directed and provided for recovering Money which ought to be paid for any Damage to be occasioned to any Lands by reason of the making the said Canal or collateral Cuts.

‘LXXV. And whereas it will be necessary, in order to effect such Junction with the said *Staffordshire* and *Worcestershire* Canal as aforesaid, to erect a Bridge over the same, for the Purpose of towing the Boats and other Vessels to be navigated on the Canal intended to be made by virtue of this Act,’ be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, and their Servants, Agents, and Workmen, to make, set up, and erect, a proper Bridge over and across the said *Staffordshire* and *Worcestershire* Canal, at or near the Place where the said Canals are intended to communicate; and to make an Abutment to such Bridge, on the Side of the Towing-path belonging to the said *Staffordshire* and *Worcestershire* Canal, and from Time to Time, and at all Times thereafter, as often as Occasion may require, to repair and amend such Bridge and Abutment, and to make any new Bridge, or Abutment, so as not to injure or obstruct the Navigation of the said *Staffordshire* and *Worcestershire* Canal in any greater Degree than the same is injured or obstructed by other Bridges erected across the same; and so as reasonable Satisfaction and Amends be made to the Proprietors of the said *Staffordshire* and *Worcestershire* Canal, for any Land to be taken thereby, or for any Damage to be done to their Canal in the making and constructing of such Bridge and Abutments, or in repairing of the same; such Satisfaction and Damage to be settled and ascertained in the same Manner as is herein before prescribed with respect to Satisfaction and Damages for Lands to be taken and used for the said intended Canal or collateral Cuts, or for any Damage occasioned thereby.

‘LXXVI. And, in order that a Supply of Water may be brought into the said *Staffordshire* and *Worcestershire* Canal, by means of the intended Navigation,’ be it therefore enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall, and they are hereby required to make and construct the lowest Lock, which shall be erected on the said intended Canal, of the Depth or Fall of ten Feet at the least, and at all Times to support and maintain the same of such Depth, unless the Proprietors of the said *Staffordshire* and *Worcestershire* Canal shall consent and agree, by Writing under their Common Seal, to have the same of a less Depth or Fall; any Thing in this Act to the contrary hereof notwithstanding.

‘LXXVII. And be it further enacted by the Authority aforesaid, That the Company of Proprietors of the *Stourbridge* Navigation, and their Successors, shall, and they are hereby required to make and execute all that Part of the intended Canal which lies between the Town of *Stourbridge* and a Place called *Bell's Mill* upon the same Level, in order that such Part of the said Canal may be supplied with Water from the collateral Cuts directed to be made as aforesaid: And the said Company of Proprietors, and their Successors, are hereby required to make and finish that Part of the said Canal which lies between the said Town of *Stourbridge* and *Wordeley* Brook, within such Time and in such Manner that the same shall be opened for the Navigation of Boats and other Vessels at the same Time the said collateral Cut to the Fens shall be opened: And the said Company of Proprietors, their Successors and Assigns, shall, and they are hereby also required, within the Space of six Months afterwards, to make and finish the said collateral Cut from the *Black Delf* aforesaid, to or near the said Lands called *The Lays*; and there to make and effect a Junction and Communication with the said other collateral Cut to be made from the Fens aforesaid to the Junction of *Wordeley* Brook with the River *Stour*; any Thing in this Act to the contrary hereof notwithstanding.

‘LXXVIII. And be it further enacted by the Authority aforesaid, That if the Owners or Occupiers of any Lands through which the said intended Canal or collateral Cuts shall be made, do or shall at any Time or Times find that the several Gates, Stiles, Bridges, Arches, Passages, Watering-places, and other Conveniencies which the said Commissioners, or any five or more of them, shall have ordered and directed to be made by the said Company of Proprietors, their Successors and Assigns, in, upon, over, under, or through the said Canal or collateral Cuts, or the Towing-paths thereof, are insufficient either in the Number or Situation for the commodious Use and Occupation of the respective Lands and Grounds on both Sides, or on either Side, of the said Canal or collateral Cuts, then, and in every such Case, it shall and may be lawful to and for such Owners or Occupiers, with the Consent and Approbation of the said Committee for the Time being, or of the major Part thereof, upon Request made to them for that Purpose, or in case of their Refusal for the Space of ten Days after such Request, then with the Consent and Approbation of any five or more of the said Commissioners, to make, fix, and erect, at their own Costs and Charges, such other Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniencies, of the same or the like Construction with the others made and erected by the said Company of Proprietors, their Successors and Assigns, on, in, over, or near, the said Canal or collateral Cuts, or Towing-paths thereof, and in such Places as shall be found and judged most necessary and convenient for the better Use, Cultivation and Improvement, or Occupation of the said Lands, and to repair and support the same at their own like Costs and Charges, as Occasion shall require; so as the said Navigation be not

prevented

Proprietors may erect a Towing-bridge over the *Staffordshire* Canal;

making Satisfaction for Damages, &c.

Lowest Lock on Canal, not to be of less Fall than 10 Feet.

Canal, between *Stourbridge* and *Bell's Mill*, to be on a Level.

Time limited for finishing certain Parts of Canal, &c.

Owners of adjoining Lands may erect Bridges, &c. at their own Charge.

prevented or obstructed thereby for any longer Space of Time, or in any other Manner, than the same will necessarily be by making other Gates, Stiles, or Bridges, in or over the said Canal or collateral Cuts, by the said Company of Proprietors.

LXXIX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to enable the said Proprietors, their Successors or Assigns, to erect or build any Mill or Mills upon the said intended Canal or collateral Cuts, or upon the Lands which shall be set out for the Towing-paths, Wharfs, or Quays, on the Sides thereof, or to convert, employ, or use, any Water that shall be brought into or discharged out of the said Canal or collateral Cuts for the Use of any Mill or Mills hereafter to be erected near the same, or to make, erect, or build, any Houses, Warehouses, Quays, Wharfs, Cranes, or Weigh-beams, within the Distance of fifty Yards of any Capital Mansion-house, or in or upon any Fold, Yard, Garden, Park, Paddock, planted Walk, or Avenue to an House, or Lawn inclosed adjoining to any Capital Mansion-house, that was used as such on or before the twenty-fifth Day of *March* one thousand seven hundred and seventy-five, or upon the North-west Side of the Turnpike-road leading from *Hafcut* Bridge to *Stewponcy* (other than Bridges, Locks, and Abutments,) without the Consent of the said *John Hodgetts*, his Heirs or Assigns, in Writing first had and obtained, or to take down or damage any Dwelling-house or Out-house (without the Consent of the Proprietors thereof respectively, except only such Buildings as the said Company of Proprietors, their Successors or Assigns, are herein after expressly authorized and impowered to take down); or to cut down any Timber-wood, Brushwood, or Underwood, upon any of the Estates or Lands through or into which the said Canal or collateral Cuts, Roads, Passages, or Conveniencies, shall be made or carried, other than such as shall grow or be in or upon any of the Lands or Grounds which shall be set out and ascertained, taken or used, for the Purposes of the said Navigation; and that the Proprietors of the respective Lands or Grounds on which such Timber-wood, Brushwood, or Underwood, which shall be cut down, was growing, shall have it in their Option to take such Timber-wood, Brushwood, and Underwood respectively, when fallen or cut down by the said Company of Proprietors, their Successors and Assigns, at such Price or Value as the same respectively shall have been estimated at or purchased by the said Company of Proprietors, their Successors and Assigns; but in case the same shall not have been estimated at or purchased by them upon a Valuation separate or distinct from the Lands or Grounds upon which the same respectively shall then grow, then at such Price or Value as shall be agreed on for that Purpose between such Proprietors or Owners of Land and the said Company of Proprietors or their Agent; or in case of any Difference in settling or ascertaining the same, then at such Price or Value as the said Commissioners, or any five or more of them, shall ascertain and fix; all which Timber-wood, Brushwood, or Underwood, so cut down, shall and may be carried and conveyed upon the said Canal and collateral Cuts to and from any Part thereof free from all Rates or Dues whatsoever.

LXXX. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Proprietors, and their Successors, for the sole and only Purposes of making the said Canal, and a Towing-path on the Side thereof, and a Reservoir or Basin for the Use of the said Navigation, and also for the Purpose of erecting Warehouses and other Buildings, and making and laying out Wharfs, Quays, Landing-places, and Roads, for the Use of the said Canal (in case the said Earl of *Stamford* and his Heirs shall not chuse to make, erect, and lay out, such Warehouses, Buildings, Wharfs, Quays, Landing-places, and Roads), to purchase and take down certain Shops and Warehouses in the Occupation of *Joseph Parkes*, situate in *Amblecoat* aforesaid, and which belong to the said Earl; and also to purchase and use certain Garden Grounds belonging to the said Earl, in the Occupation of the said *Joseph Parkes*; and also, with the Consent and Approbation of the said Earl and his Heirs, or such Person or Persons who for the Time being shall be seized in Possession of the Dwelling-house in the Occupation of the said *Joseph Parkes*, and also of certain Dwelling-houses and Buildings in the Occupation of *John Hancox*, or his Under-tenants, situate in *Amblecoat* aforesaid, and which adjoin to the Turnpike-road leading from *Stourbridge* to *Wolverhampton*, first had and obtained, in Writing under his or their Hand or Hands, to purchase and take down the last-mentioned Dwelling-houses and Buildings; and also that it shall and may be lawful to and for the said Earl and his Heirs, or such other Person or Persons who for the Time being shall be seized for Life, or of any greater Estate, of and in the said Dwelling-houses, Buildings, and Garden Grounds, to sell and convey the same unto the said Company of Proprietors, their Successors and Assigns, in Fee Simple; and such Sales and Conveyances shall, without any Fine or Recovery, or other Assurances in the Law, be valid and effectual to all Intents and Purposes: And in case the said Earl and his Heirs, or such other Person or Persons so intitled as aforesaid, and the said Company of Proprietors, their Successors or Assigns, shall not agree upon the Price or Value of the said Buildings and Garden Grounds, that then the same shall be settled and ascertained by the said Commissioners, or any five or more of them, or by a Jury, in such Manner as is herein before directed and prescribed with respect to Lands to be taken for the Use of the said Canal, Regard being had to the true Value of the said Buildings and Garden Grounds: Provided also, That nothing herein before contained shall extend, or be construed to extend, to authorise or enable the said Company of Proprietors, their Successors or Assigns, to take down the said Dwelling-house in the Occupation of the said *Joseph Parkes*, or the said Dwelling-houses and Buildings in the Occupation of the said *John Hancox*, or his Under-tenants, without the Consent of the said Earl or his Heirs, or such other Person or Persons who for the Time being shall be seized thereof as aforesaid; or to convert the said Garden Grounds, or the Ground whereon the said other Buildings now stand, to any other Purpose than the Purposes herein before expressly mentioned; or to lessen or prejudice the Right of the said Earl and his Heirs, and such other Person and Persons as aforesaid, to build, erect, or use, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, Warehouses, or Roads, in or upon his or their Lands, adjoining or near to the said Canal, or from landing any Goods or Merchandise thereupon, or upon the Banks lying between the same, or from making and using proper and convenient Places for

Company restrained from erecting or taking down certain Buildings, &c.

or cutting down Timber, &c. (except as excepted.)

Proprietors int- powered to take down certain Shops, &c. belonging to the Earl of *Stamford*.

If Parties cannot agree, Difference to be settled by Commissioners, &c.

Company not to take down certain Houses, without Consent of Owners, &c.

Boats

Boats or other Vessels to lie and turn in, agreeable to the Powers and Authorities herein after given and contained.

Land-owners may erect Warehouses, &c. on their own Lands, &c.

LXXXI. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to restrain or hinder the said *George Harry* Earl of *Stamford*, *Edward Russell* Esquire, and *John Addenbrooke Homfray*, or the Lord or Lords of any Manor or Manors, or the Owner or Owners of any Lands or Grounds, through or near which the said intended Canal or collateral Cuts shall be made, from building, erecting, or using, any Wharfs, Quays, Landing places, Cranes, Weigh-beams, or Warehouses, in and upon their Lands, Grounds, or Wastes, adjoining or near to the said Canal or collateral Cuts, or from landing any Goods or Merchandise or other Things thereupon, or upon the Banks lying between the same and the said intended Canal or collateral Cuts, or from making and using proper and convenient Places for Boats or other Vessels to lie in, turn, or pass by each other, or from making and laying out proper and convenient Ways and Roads to and from the said Canal and collateral Cuts, so that the making, erecting, or using thereof respectively shall and do not obstruct or prejudice the said Navigation, or the Towing-paths on the Sides thereof; and all Rates and Dues that shall be paid for the Use and Benefit of all such Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, shall be and the same are hereby vested in the said Earl, the said *Edward Russell*, and *John Addenbrooke Homfray*, or such Lord or Lords of such Manor or Manors, or the Owner or Owners of such Lands, Grounds, or Wastes, who shall make, erect, and build the same upon their own Lands, Grounds, or Estates respectively, his, her, and their Heirs and Assigns.

If Land-owners neglect to build, &c. after twelve Months Notice, Proprietors may do it,

LXXXII. And be it further enacted by the Authority aforesaid, That if the said *George Harry* Earl of *Stamford*, or the said *Edward Russell*, and *John Addenbrooke Homfray*, or any such Lord or Lords, Owner or Owners, shall not, within the Space of twelve Calendar Months next after Notice given in Writing by or on Behalf of the said Company of Proprietors, their Successors and Assigns, that any Part or Parts of such Lands, Grounds, or Wastes, is or are intended to be used by them for the Purpose of erecting Warehouses and Buildings for the Use of the said Navigation, or for making and laying out necessary and convenient Roads for the Conveyance of Goods to and from the said Canal and collateral Cuts, make, erect, and lay out, and from Time to Time maintain and keep in constant and substantial Repair, such proper and sufficient Warehouses, Buildings, and Roads, for the Use of the said Navigation, as the said Commissioners, or any five or more of them, shall think necessary, and on the respective Part or Parts of the Lands and Grounds described in such Notice, that then the said Company of Proprietors, their Successors and Assigns, shall have full and absolute Power and Authority, without any Hindrance or Restraint whatsoever, to make use of such Lands, Grounds, or Wastes (except such as are herein before particularly excepted), for erecting and building proper and sufficient Warehouses and Buildings, and making and laying out necessary and convenient Roads to and from the said Canal and collateral Cuts, agreeable to such Notice to be delivered as aforesaid, first making Satisfaction for the same, in such Manner as is directed with respect to other Lands or Grounds which shall be taken or used for the Purposes of this Act: But that nothing herein contained shall extend, or be deemed or construed to extend, to subject the said Earl, the said *Edward Russell*, and *John Addenbrooke Homfray*, or such Lord or Owner of Land as aforesaid, to the Repairs of the Towing-paths belonging to the said Canal or collateral Cuts.

making Satisfaction to the Owners.

Proprietors not to make Roads over Lands of the Earl of *Stamford*, &c. without their Consent,

LXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to enable the said Company of Proprietors, their Successors or Assigns, to make any Roads or Ways over any of the Lands or Grounds belonging to the said *George Harry* Earl of *Stamford*, *Edward Russell*, or *John Addenbrooke Homfray* respectively, or over any Wharfs or Quays which shall be made by them, any or either of them, on the Side of the said intended Canal, other than for the Purpose of a Towing-path for Horses, to hale Vessels upon the said Canal, and other than such Roads for the Conveyance of Goods to and from the said Canal as shall be thought necessary by the said Commissioners, or any five or more of them, to be made and set out agreeable to the Notice herein before directed to be given for that Purpose, without the Consent of the said Earl, the said *Edward Russell*, and *John Addenbrooke Homfray*, or their Heirs respectively, first had and obtained, in Writing under his or their Hand or Hands; and that it shall not be lawful to and for the said Company of Proprietors, their Successors or Assigns, to lay or continue any Timber, Stone, Coal, Bricks, or other Goods, upon any Quays or Wharfs belonging to the said Earl, *Edward Russell*, and *John Addenbrooke Homfray*, for any longer Space of Time than six Days, without the Consent of the Owner or Proprietor of such Quay or Wharf, or his or their Wharfinger, Clerk, or known Agent, first had and obtained, or to commit any Trespass or Damage upon the Wharfs, Lands, or Grounds of the said Earl, *Edward Russell*, and *John Addenbrooke Homfray* respectively, other than what shall be absolutely necessary for the setting out, making, and repairing, of the said Canal, and the Towing-path on the Sides thereof, as also for the setting out, making, and repairing, of the said Basin, and the making, erecting, and building, of such Wharfs, Quays, Roads, and Warehouses, as the said Company of Proprietors, their Successors or Assigns, are herein before authorized by this Act to set out, make, erect, and build, upon the particular Lands and Grounds of the said Earl, the said *Edward Russell*, and *John Addenbrooke Homfray*, respectively.

nor to leave Goods on their Wharfs, longer than six Days, &c.

Rates for Wharfage to be paid to Land-owners.

LXXXIV. Provided always, and be it enacted by the Authority aforesaid, That nothing shall be demanded or taken by any Lord or Lords, Land-owner or Land-owners, who shall or may make, erect, or build, any Wharfs or Quays, or make or lay out any Roads to and from the said Canal, or collateral Cuts, on any Part of the Lands or Grounds adjoining to the said intended Canal or collateral Cuts by virtue of this Act, as or for Wharfage for any Coals, or other Goods or Merchandise, which shall be loaded into, or discharged from, any Boat or other Vessel, unless such Coals, Goods, or Merchandise, shall lie upon such Wharfs or Quays for a longer Space of Time than six Hours in the Day-time, between the Hours of Eight of the Clock in the Morning and Five of the Clock in the Afternoon; and that no more than the Sum of one Penny Halfpenny *per* Ton shall be demanded or taken for the Wharfage of Coals, Lime, Limestone,

Limestone, Clay, Iron, Gravel, Timber, Stone, Brick, Tile, or Slate; nor more than Three-pence *per* Ton for the Wharfage of any other Goods or Merchandise, where the same shall be respectively placed, and remain upon such Wharfs or Quays for a longer Space than six Hours as aforesaid, and shall not continue thereupon for a longer Space of Time than six Days; nor shall any Thing be demanded or taken for the Use of the said Roads for the Conveyance of Goods and Merchandises to and from the said Canal or collateral Cuts: Provided also, That it shall and may be lawful for the said Company of Proprietors, their Successors and Assigns, to erect, repair, and use, any Crane or Cranes, or Weighing-machine, upon every such Wharf or Quay, for the more convenient loading, unloading, and weighing of any such Coals or other Goods, in case the Proprietors of such Wharfs or Quays shall refuse to make and erect the same within three Calendar Months after they shall have received Notice in Writing for that Purpose from the said Company of Proprietors, their Successors or Assigns.

Company of Proprietors may erect Cranes, &c. on Wharfs, if Owners neglect.

LXXXV. And, for preventing Disputes touching the Weight of the Lading on board any Boat or Vessel passing upon the said Navigation, be it further enacted, That the Masters of all such Boats or Vessels shall, and they are hereby required to fix on each Side thereof respectively correct Indexes of Copper, Lead, or other Metal, of such graduated Dimensions, and of such convenient Height, and under such Regulations, as the said Company of Proprietors shall from Time to Time direct, so that the true Weight of the Lading on board may at all Times be thereby ascertained and shewn; and the Names of the Owners of such Boats or Vessels, and the proper Numbers thereof respectively, in Copper, Lead, or other Metal, as aforesaid, shall also by such Masters and Owners be affixed on the Sides of the said Boats or Vessels in some conspicuous Manner: And if the Master or Owner of any such Boat or Vessel shall navigate the same upon the said Canal or collateral Cuts, without having such Index, Name, and Number, upon his or their Boat or Vessel, every such Master or Owner so offending shall, for every such Offence, forfeit and pay the Sum of forty Shillings, to be levied, recovered, and applied, by such Ways and Means, and in such Manner, as the other Penalties or Forfeitures for Offences against this Act are directed to be levied, recovered, and applied.

Weight of the Lading of Vessels to be marked on each Side,

and Names of the Owners, &c.

on Penalty of 40s.

LXXXVI. And be it further enacted by the Authority aforesaid, That the Owner or Master of every Boat or other Vessel navigating upon the said Canal or collateral Cuts, shall permit and suffer every such Boat or other Vessel to be measured, at the Expence of the said Company of Proprietors, whenever it shall be required by them, or such Person or Persons as shall be appointed by them for that Purpose; and if any Owner or Master of any Boat or other Vessel shall refuse to have his, her, or their Boats or other Vessels measured as aforesaid, he or they shall, for every such Offence respectively, forfeit and pay to the said Company of Proprietors, their Successors or Assigns, the Sum of forty Shillings.

Boats, &c. to be measured.

Penalty, on Refusal, 40s.

LXXXVII. And be it further enacted, That the Master or Owner of every Boat or other Vessel navigating upon the said Canal and collateral Cuts, shall be, and is hereby made answerable for any Damage, Spoil, or Mischief, that shall be done by his Boat or other Vessel, or any of the Boatmen or Watermen belonging to, or employed in or about the same respectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, or other Works, in, upon, or near the said intended Canal and collateral Cuts, or by loading or unloading any Boat or other Vessel, and for any Trespas or Damage that shall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, or Tenements, adjoining to the same; and the Master or Owner of such Boat or Vessel shall and may be sued and prosecuted for the same in any Court of Record whatsoever; and if a Verdict pass against him, or Judgment be given against him upon Demurrer, or by Default, the Plaintiff, in any such Case, shall recover his Damages thereby sustained, with Double Costs of Suit.

Boatmaster or Owner made answerable for Damages done by the Crew.

LXXXVIII. And be it further enacted by the Authority aforesaid, That the said Company of Proprietors, their Successors and Assigns, shall and may, and they are hereby required, in such Parts of the said Canal, or collateral Cuts, as shall not be of a sufficient Breadth for admitting a Boat or Vessel to turn about or lie, or for two Boats or other Vessels to pass each other, to open or cut proper Spaces or Places in the Lands adjoining to the said intended Canal or collateral Cuts, at convenient Distances from each other, for the turning, lying, and passing of any such Boat or Vessel; and that the said Boats or other Vessels, sailing or being haled or navigated upon the said Canal or collateral Cuts, shall, upon meeting any other Boat or Vessel, stop at or go back to and lie in the said Spaces or Places in such Manner as the said Committee, or the major Part of them, under their Hands and Seals, shall direct and appoint.

Proper Places to be made for Boats to turn or lie in.

LXXXIX. And be it further enacted, That if any Boat or Vessel shall be placed in any Part of the said Canal or collateral Cuts, so as to obstruct the Navigation thereof, and the Person having the Care of such Boat or Vessel shall not immediately, upon Request made for that Purpose, remove the same, he shall, for every such Offence, forfeit a Sum not exceeding ten Shillings, nor less than five Shillings, for every Hour such Obstruction shall continue; and it shall be lawful for the Agents or Servants of the said Company of Proprietors, their Successors and Assigns, to cause any such Boat or Vessel to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction in the Navigation, and to seize and detain such Boat or Vessel, and the Loading thereof, or any Part of such Loading, until the Charges occasioned by such Unloading and Removal are paid; and if any Boat or Vessel shall be sunk in the said Canal or collateral Cuts, and the Owner or Owners, or Person or Persons having the Care of such Boat or Vessel, shall not, without Loss of Time, weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company of Proprietors, their Successors and Assigns, to cause such Boat or Vessel to be weighed or drawn up, and to detain and keep the same till Payment be made of all Expences necessarily occasioned thereby.

Penalty on placing Vessels so as to obstruct the Navigation, &c.

Vessel sunk to be weighed.

XC. And be it further enacted, That if any Person or Persons shall float any Timber upon the said Canal or collateral Cuts, or shall suffer the Loading of any Boat or Vessel to lie over the Sides thereof, or shall overload any Boat or other Vessel navigating in or upon the said Canal and collateral Cuts, so as by such Overloading to obstruct the Passage of any other Boat or Vessel, and shall not immediately, upon

Persons floating Timber on the Canal, or overloading Vessels,

Notice

or throwing Gravel, &c. into Canal, to forfeit 5 l.

Regulations for Vessels passing the Locks.

Penalty of 40 s. for each Offence.

Canal not to be under the Power of Commissioners of Sewers.

If Company neglect to pay annual Rents, &c.

Commissioners may appoint a Person to receive the Rates, and pay the same, &c.

Reservation of Rights of Lords of Manors, &c. relating to Mines, &c.

Notice given to the Owner or Owners, Person or Persons having the Care of such Boat or Vessel so obstructing the Passage as aforesaid, remove the same, so as to make a free Passage for other Boats or Vessels, every such Owner or Owners, Person or Persons, floating such Timber, or having the Care of such Boat or Vessel so obstructing the Passage as aforesaid, shall forfeit and pay, for every such Offence, the Sum of five Pounds; and if any Person or Persons shall throw any Ballast, Gravel, Stones, or Rubbish, into any Part of the said Canal or collateral Cuts, every such Person shall, for every such Offence, forfeit a Sum not exceeding five Pounds; which said respective Forfeitures shall be paid to the said Company of Proprietors, their Successors or Assigns, to be by them applied to the Purposes of the said Navigation.

XCII. Provided always, and be it enacted by the Authority aforesaid, That every Boatman or other Person navigating any Boat or other Vessel upon the said Canal or collateral Cuts, through any Lock to be made thereon, shall, in going down the same, shut the Lower Gates of such Lock before he shall draw the Cloughs of the Upper Gates thereof; and after he or they shall have brought his Boat or other Vessel into the said Lock, shall shut the Upper Gates before he shall draw the Cloughs of the Lower Gates thereof; and in all dry Seasons, when there shall be a Scarcity of Water in the said Canal or collateral Cuts, the Vessel going up the same, if within Sight of, and at a Distance not exceeding three hundred Yards below a Lock, shall pass through the same before the Vessel coming down, and then the Vessel next above such Lock shall come down; and if there are more Vessels than one below and above any Lock at the same Time, in such dry Seasons, within the Distance aforesaid (which Distance shall be distinguished by a Post or Mark to be set up or made for that Purpose), such Vessels shall go up and come down at such Lock by Turns as aforesaid, until all the said Vessels going up or coming down shall have passed, by which Means one Lock-full of Water may serve two Vessels; and if any Person shall act contrary to the Rules herein before laid down, and shall be convicted thereof before any Justice of the Peace, upon the Oath of one or more credible Witness or Witnesses, as also the Master or other Person having the Command of such Boat or Vessel, shall forfeit the Sum of forty Shillings.

XCIII. And be it further enacted, That the said Canal or collateral Cuts, or any Works whatsoever to be made by virtue of this Act, shall not be subject to the Controul, Direction, Survey, or Order, of any Commission of Sewers, or to any Law or Statute relating to Sewers; any Thing or any Law or Statute to the contrary notwithstanding.

XCIII. And be it further enacted by the Authority aforesaid, That such annual Rents or Sums as shall be agreed on between the said Company of Proprietors, their Successors and Assigns, and the Parties interested in such Lands, Grounds, Mills, Forges, or Iron Works, or which shall be so settled and ascertained by the said Commissioners, or by a Jury as aforesaid, shall be charged on the Rates and Dues herein before granted, and shall be paid by the said Company of Proprietors, their Successors or Assigns, as the same shall become due and payable; and in case the same shall not be paid within twenty-one Days next after the same shall respectively become due and payable, it shall and may be lawful to and for the said Commissioners, or any five or more of them, by an Order under their Hands and Seals, to appoint one or more Person or Persons to receive the said Rates and Dues, and to pay the same to such Person or Persons to whom such yearly Rents or Sums shall be due and unpaid as aforesaid, until such yearly Rents or Sums, with the Costs and Charges of recovering and receiving thereof, shall be fully satisfied and paid; or such Person or Persons, to whom such yearly Rents or Sums shall be due and owing as aforesaid, may sue the said Company of Proprietors, their Successors or Assigns, for, and recover the same, with Costs of Suit, by Action of Debt, in any of his Majesty's Courts of Record; or otherwise it shall and may be lawful to and for such Bodies Politic, Corporate, or Collegiate, Trustees, or other Person or Persons to whom such yearly Rents or Sums shall be due and owing as aforesaid, and he and they, and every of them, is and are hereby empowered to seize and distrain any Boats, Vessels, or other Goods or Effects of the said Company of Proprietors, their Successors or Assigns, which shall be found upon the said Canal or collateral Cuts, or in, upon, or about, the Wharfs, Quays, Warehouses, or other Works belonging thereto, and to detain the same until Payment thereof, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within five Days after such Distress made, and Notice thereof given in Writing, by affixing such Notice on some public Place at any of the Wharfs or Quays belonging to the said Company of Proprietors, then such Boats, Vessels, or other Goods or Effects so distrained, shall and may be appraised and sold in such Manner as the Law directs in case of Distress for Rent; but the Goods or Effects of no other Person or Persons than the said Company of Proprietors, their Successors or Assigns, shall be liable to be seized or detained by virtue of the Powers hereby given.

XCIV. Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to defeat, prejudice, or affect the Right of any Lord or Lords of any Manor or Manors, Common or Waste Grounds, or of any Owner or Owners of any Lands or Grounds in, upon, or through which the said Canal and collateral Cuts, Towing-paths, Wharfs, Quays, Trenches, Sluices, Passages, Watercourses, or Conveniencies aforesaid, or any of them, shall be made, to the Mines, Minerals, or Quarries, lying or being within or under the Lands or Grounds to be set out or made use of for such Canal and collateral Cuts, Towing-paths, Wharfs, Quays, or other Conveniencies aforesaid, or any of them; but all such Mines, Minerals, and Quarries, are hereby reserved to such Lord or Lords of such Manor or Manors, or of such Common or Waste Grounds, and to such Owner or Owners of such Lands or Grounds respectively, their Heirs or Assigns; and that it shall and may be lawful to and for the Lord or Lords of such Manor or Manors, Common or Waste Grounds, or such Owner or Owners of such Lands or Grounds respectively (subject to the Conditions and Restrictions herein contained) to work all such Mines and Quarries, and to take and carry away all such Coals, Ironstone, and Minerals, as shall be gotten therein, to his and their own Use; provided that in working such Mines and Quarries no Injury be done to the said Navigation; any Thing herein contained to the contrary notwithstanding.

XCIV. Provided

XCIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to empower the said Company of Proprietors, their Successors or Assigns, to erect any Warehouses or other Buildings (except such Warehouses, Watchhouses, or other Works, as shall be necessary for making, using, preserving, and maintaining, the said Navigation) upon any of the Lands or Grounds which shall be set out and ascertained for the said Canal and collateral Cuts, or the Towing-paths, Wharfs, Quays, or other Conveniencies, for the Use of the said Navigation; or to plant any Trees on such Lands or Grounds, unless they shall first obtain the Consent of the Owner or Owners of such Lands or Grounds at the Time of the setting out the same, his, her, or their Heirs or Assigns, under his, her, or their Hand and Seal or Hands and Seals respectively; and that in case any Warehouse or other Building (except as before excepted) shall be erected, or any Trees shall be planted, upon any such Lands or Grounds, without such Consent as aforesaid, it shall and may be lawful to and for the Owner or Owners of such Lands or Grounds, at the Time of the setting out the same as aforesaid, his, her, or their Heirs or Assigns, to take or pull down and remove such Warehouses and other Buildings, and to cut down and carry away such Trees, without being guilty of any Trespass, or liable to any Action or Prosecution for so doing.

Company not to erect Warehouses, &c. without Consent of Land-owners.

XCVI. And be it further enacted and declared, That the Lord and Lords or Owner or Owners of all and every Manor and Manors through which the said intended Canal, and collateral Cuts and Reservoirs, shall be made, shall have and be intitled to the sole, several, and exclusive Right of Fishery of and in so much of the said Canal and collateral Cuts, Reservoirs, Trenches, and Sluices, as shall be made over or through the Common or Waste Lands within his, her, or their Manor or Manors respectively; and also in, over, or through, any other Lands or Grounds lying within such Manor or Manors where such Lord or Lords, Owner or Owners, now have or hath, or are or is intitled to, the Right of Fishery in the Pits, Ponds, and Waters, now being in such last mentioned Lands or Grounds respectively; and that the Owner or Owners of all other Lands or Grounds, through which the said Canal and collateral Cuts and Reservoirs shall be made, shall also have and be intitled to the like sole, several, and exclusive Right of Fishery of and in so much of the said Canal and collateral Cuts, Reservoirs, Trenches, and Sluices, as shall be made in, over, or through, his, her, or their Lands or Grounds respectively; so as, in the Use and Exercise of the said Right of Fishery, no Prejudice be done to the said Canal and collateral Cuts, Reservoirs, Towing-paths, Banks, or other Works and Conveniencies hereby authorized to be made, or any Water drained or exhausted from or out of the said Canal and collateral Cuts and Reservoirs; and so as the said Company of Proprietors, their Successors or Assigns, or their Agents, Servants, or Workmen, or any of them, shall not be liable to any Penalty, Action, or Prosecution, for or by Reason of the taking or destroying of any Fish in the said Canal and collateral Cuts and Reservoirs, which shall be taken, killed, or destroyed, through or by Means of the letting off the Water out of the said Canal and collateral Cuts and Reservoirs, for or upon Account of any Repairs or Works to be done in or about the same.

Reservation of exclusive Right of Fishery, &c.

Care being taken not to injure Canal, Towing-paths, &c.

XCVII. And be it further enacted, That if any Person or Persons navigating or working, or being on board, any Boat or other Vessel within the Limits of the said Navigation (not being qualified to kill Game) shall carry on board any such Boat or Vessel, and shall use any Fishing-net, Gun, Engine, or other Instrument for taking or destroying Fish or Game; or in case any other Person or Persons not qualified as aforesaid shall use any Net, Fishing-rod, or other Engine or Device for taking or destroying the Fish in the said Canal or collateral Cuts and Reservoirs, such Person or Persons, being thereof lawfully convicted on the Oath of one or more credible Witness or Witnesses, before one or more of his Majesty's Justices of the Peace for the Counties of *Stafford* or *Worcester*, shall, for every such Offence, forfeit and pay the Sum of Five Pounds; and in case any Master or other Person having the Command or Care of any Boat or other Vessel, shall suffer or permit any Person or Persons, not being qualified as aforesaid, to have, carry on board, and make use of, any Fishing-net, Gun, Engine, or other Instrument for taking or destroying Fish or Game, and being thereof convicted as aforesaid, before one or more Justice or Justices of the Peace of either of the said Counties respectively, shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Unqualified Persons not to carry any Gun, Fishing-net, &c. on board any Vessel.

on Penalty of 5l. for each Offence.

XCVIII. And for continuing a sufficient Number of Commissioners for putting this Act in Execution, be it further enacted by the Authority aforesaid, That when any of the Commissioners herein before appointed, or to be elected in Manner herein after mentioned, shall die, or refuse to act, the surviving or remaining Commissioners, or any nine or more of them, shall, and they are hereby empowered, from Time to Time, at some Meeting to be held for that Purpose, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commissioner dying or refusing to act, some other Person qualified as herein after mentioned; and all such Commissioners so appointed shall, from the Time of their respective Appointments, have the like Authority in all Things relating to the Execution of this Act, as if they had been expressly named and appointed Commissioners in and by this Act.

When Commissioners die, or refuse to act, new Ones to be chosen.

XCIX. And be it further enacted, That in case it shall happen the surviving or remaining Commissioners shall at any Time hereafter neglect or refuse, upon Vacancy, to nominate or appoint new Commissioners, or that, for Want of a proper Number of Commissioners in the Neighbourhood it shall become difficult to procure a Meeting or Meetings for executing the Powers of this Act; or in case the Commissioners nominated in this Act, or hereafter to be elected under and by virtue thereof, shall all of them happen to die, or be reduced to a less Number than Nine, that in either of the said Cases it shall and may be lawful to and for the said Company of Proprietors, from Time to Time, to make Complaint in the Premises to the Justices of the Peace of the County of *Stafford*, at their General Quarter Sessions to be holden in and for the said County; and the said Justices to whom such Complaint shall be made, are hereby authorized to receive and hear the said Complaint, and upon due Proof thereof being made to them, to nominate such fit and proper Persons as they in their Discretion shall think fit to be Commissioners for the Purposes of this Act; and the said Commissioners so nominated and appointed (being duly qualified as

Justices at Quarter-Sessions empowered to nominate Commissioners in certain Cases.

herein after mentioned) shall from thenceforth have the like Powers and Authorities as if appointed by this Act, or under the Authority of Commissioners as aforesaid.

Qualification of Commissioners.

C. And be it further enacted by the Authority aforesaid, That no Person shall act as a Commissioner in any Case where he shall be any-ways interested or concerned in the Matter in question; nor shall any Commissioner act in the Execution of this Act, unless he shall be seized in his own Right, or in the Right of his Wife, and not as a Mortgagee or Mortgagees, at the Time of such his Acting, of an Estate of Freehold or Copyhold, in Lands, Tenements, or Hereditaments, of the yearly Value of one hundred Pounds, or unless he shall be eldest Son or Heir-apparent of a Peer, or of a Person qualified to serve in Parliament as a Knight of the Shire; and if any Person, by this Act made incapable to act as a Commissioner, shall nevertheless presume to act as such in the Execution of this Act, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds to any Person who will sue for the same, to be recovered, with full Costs of Suit, by Action at Law, in any of his Majesty's Courts of Record at *Westminster*, in which Action no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, shall be allowed; and such Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise pay the said Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act.

Any Person acting, not qualified, to forfeit 50*l*.

Commissioners to give 14 Days Notice of their Meetings.

CI. Provided always, and it is hereby further enacted, That no Meeting whatever of the said Commissioners shall at any Time or Times be had for putting this Act in Execution, unless previous Notice thereof shall be first given and inserted in the *Birmingham* and *Worcester* News-papers, or in such other Manner as the said Company of Proprietors, their Successors or Assigns, shall, at any General Meetings, direct or appoint, at least fourteen Days before every such Meeting; and every such Notice shall specify the Time and Place of such Meeting or Meetings respectively, and the several Matters and Things then and there proposed to be done; and that every Meeting of the said Commissioners, by virtue of this Act, shall be public; and that the Majority of the said Commissioners present at every such Meeting, (such Majority not being less than three) shall have Power and Authority to execute the Powers hereby vested in the said Commissioners; any Thing herein before contained to the contrary notwithstanding.

Commissioners to be sworn.

CII. Provided always, That no Person shall act as a Commissioner in the Execution of this Act, (otherwise than in administering the following Oath) until he shall have taken and subscribed the Oath following before any one or more of the said Commissioners, who is and are hereby authorized and empowered to administer the same; *videlicet*,

Their Oath.

‘ I *A. B.* do swear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Knowledge, execute and perform the Powers and Authorities vested in me as a Commissioner, by an Act of Parliament made in the sixteenth Year of the Reign of his Majesty King George the Third, for making and maintaining a navigable Canal from or near the Town of Stourton-bridge, in the County of Worcester, to join the Staffordshire and Worcestershire Canal, at or near Stourton, in the County of Stafford; and also two collateral Cuts, one from a Place called The Fens, upon Pensnetchace, to communicate with the intended Canal near the Junction of Wordeley-brook with the River Stour; and the other from a Place called Black Delph, upon the said Chace, to join the first-mentioned collateral Cut, at or near certain Lands called The Lays, in the Parish of Kingwinford, in the said County of Stafford.’

Commissioners may act as Justices.

CIII. And be it further enacted, That such of the said Commissioners who are in the Commission of the Peace for the Counties of *Stafford* or *Worcester*, shall and may, and are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Commissioners.

No Commissioner to act as such while he possesses any Place of Profit, &c.

CIV. Provided always, That if any Person appointed or to be appointed a Commissioner by virtue of this Act, shall have or accept any Place of Profit arising out of the Rates or Dues to be collected by virtue of this Act, such Person, from and after his Acceptance of such Place of Profit, and during the Time of his holding and enjoying the same, or during the Time of his being a Proprietor of the said Navigation, or concerned or interested in any Bargain or Contract made or to be made for the Purposes of this Act, shall be incapable of acting as a Commissioner under this Act.

Five Commissioners, on Request of Proprietors, &c. may appoint a General Meeting of Commissioners.

CV. And be it further enacted by the Authority aforesaid, That upon Application to be made by the said Proprietors, their Successors and Assigns, or any five or more of them, or by the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the said intended Canal and collateral Cuts, or any of the Works necessary or relating thereto, unto the Commissioners appointed by and for the Purposes of this Act, or any five or more of them, requesting or desiring them to appoint a General Meeting of the said Commissioners; the Commissioners so requested or applied to, or any five or more of them, may and shall, and they are hereby respectively authorized and required, within fourteen Days after such Request or Application made, to give Notice in Manner aforesaid of a General Meeting to be held at such Time and Place as shall be specified in such Notice; such Time not being less than fourteen Days, nor more than twenty-one Days, from the Day on which such Request shall be made to them as aforesaid; and the said Commissioners are hereby authorized and required to assemble at the Time and Place so to be appointed, in order to put this present Act, and the Powers and Authorities hereby given to and vested in them, in Execution, and shall then adjourn themselves, and afterwards meet at such Time and Place as the said Commissioners there assembled, or any five or more of them, shall think proper and convenient; and if it shall happen that there shall not appear at any such Meeting a sufficient Number of Commissioners to act, and to adjourn to any other Time, then, and in such Case, the Clerk to the said Commissioners shall and may, by public Notice to be given in Manner aforesaid, appoint the said Commissioners to meet at the Place where the last Meeting of the said Commissioners was appointed to be held, on that Day Fortnight next after the Day on which the last Meeting was appointed to be held.

CVI. Pro-

CVI. Provided always, and be it further enacted, That it shall and may be lawful for any five or more of the said Commissioners, and they are hereby empowered, although they shall not be assembled at a Meeting to be held by virtue of this Act, from Time to Time, and at all Times, upon such Request made as aforesaid, by Notice in Writing signed by them, and published in Manner aforesaid, to summon a Meeting of the said Commissioners at such Time and Place as shall be mentioned in such Notices, for the settling and ascertaining such Damages as are herein directed to be settled and ascertained, notwithstanding any Adjournment or Nonadjournment of the said Commissioners.

Power to hold special Meetings for ascertaining Damages.

CVII. And be it further enacted, That every Meeting of the Commissioners for hearing or determining any Complaint, Controversy, Dispute, or Difference, between the said Proprietors, their Successors and Assigns, and any other Person or Persons, shall be held at some Place within two Miles of some Part of the said Canal or collateral Cuts; and that no Order or Determination shall be made unless the Majority of the Commissioners present at such Meeting shall concur therein, such Majority not being less than the respective Numbers hereby authorized to make such Orders or Determinations.

No Meeting to be held, but within two Miles of the Canal, &c.

CVIII. And be it further enacted by the Authority aforesaid, That if the said Company of Proprietors, their Successors or Assigns, shall be in Possession of any Lands or Grounds by virtue of this Act, for the Space of ten Years, without making the said intended Navigation through the same, or if the said Navigation shall be made and completed, and afterwards discontinued or disused for the Space of five Years, then, and in either of the said Cases, the said Company of Proprietors, their Successors or Assigns, shall convey all their Right, Property, and Interest, in or to such Lands or Grounds respectively, unto the several Persons or Bodies Politic, Corporate, or Collegiate, or their Heirs, Successors, or Assigns, who were the Owners or Proprietors thereof immediately before the said Company of Proprietors, their Successors or Assigns, became seized of the same, in case they or any of them shall think fit to become Purchasers thereof, and to pay such valuable Consideration for the said Lands or Grounds to the said Company of Proprietors, their Successors or Assigns, as the said Commissioners, or any five or more of them, shall adjudge reasonable; and in case any Difference shall happen in ascertaining thereof by the said Commissioners, then as a Jury, to be impanelled in the Manner herein before directed, shall ascertain or award to be paid for the same; but no such Consideration, to be ascertained by such Commissioners, or to be awarded by such Jury as aforesaid, shall exceed the Sum or Sums of Money first paid by the said Company of Proprietors, their Successors or Assigns, for the Purchase of such Lands or Grounds; and in case the said Company of Proprietors, their Successors or Assigns, upon the Payment or Tender of such Consideration as aforesaid, shall refuse or neglect to convey the Lands or Grounds as aforesaid, then, and in such Case, such Lands or Grounds shall revert to and be thenceforth vested in the said several and respective Person or Persons, Bodies Politic, Corporate, or Collegiate, their Heirs, Successors, or Assigns; and in case an annual Rent shall have been paid for the said Lands or Grounds, then such Rent shall cease and determine, and such Sum or Sums of Money shall be paid for the Damages done to the said Lands or Grounds by the said Company of Proprietors, their Successors or Assigns, to the Person or Persons, Bodies Politic, Corporate, or Collegiate, or their Heirs, Successors, or Assigns, to whom such Lands or Grounds shall be reconveyed or revert as aforesaid, as the said Commissioners or Jury respectively shall ascertain or award; such Sum or Sums of Money, in Default of Payment at the Time to be fixed by such Commissioners or Jury respectively, to be recovered in such Manner as any other Damages are to be recovered from the said Company of Proprietors by virtue of this Act.

The Right, &c. to Lands, in case Navigation not completed, &c. to be reconveyed to original Owners.

In case of Dispute, Jury to award the Consideration-money, &c.

CIX. And be it further enacted, That the several and respective Persons who have subscribed, or shall subscribe, to advance any Money for and towards making and maintaining the said Canal and collateral Cuts, shall, and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company of Proprietors, their Successors or Assigns, or the said Committee, under and by virtue of the Powers and Directions of this Act; and in case such Person or Persons shall neglect or refuse to pay the Monies by him, her, or them subscribed, or the Parts or Proportions thereof so called for, at the Time and in Manner required for that Purpose, it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, to sue for and recover the same in any Court of Law or Equity.

Subscribers who neglect to pay their Subscriptions, may be compelled, &c.

CX. And be it further enacted by the Authority aforesaid, That the Costs and Charges of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, incident thereto, and all other Costs, Charges, and Expences, concerning the same, shall be borne, paid, and defrayed, by the said Company of Proprietors, their Successors or Assigns, by and out of the first Monies to be called for and received by virtue of this Act.

Expences of this Act how to be paid.

CXI. And be it further enacted, That all Fines, Penalties, and Forfeitures, for Offences against this Act, or against any Rule, Order, or Bye-law to be made in pursuance thereof, the levying and recovering of which are not herein before particularly directed, shall be levied by Warrant under the Hand and Seal or Hands and Seals of one or more Justice or Justices of the Peace of the said Counties of *Worcester* or *Stafford*, upon the Oath of one or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby authorized and required to administer); and all such respective Fines, Penalties, and Forfeitures, the Application whereof is not herein before particularly directed, shall be paid into the Hands of the Treasurer or Receiver of the Monies to be raised by virtue of this Act, and shall be applied and disposed of for the Use of the said Navigation, and to or for no other Use or Purpose whatsoever.

Penalties and Forfeitures how to be recovered and applied.

CXII. And be it further enacted by the Authority aforesaid, That no Summons, Order, Determination, Judgment, Warrant, Contract, Agreement, Bond, or other Writing whatsoever, under the Hands and Seals of any Justices of the Peace, or of the said Commissioners, or any of them, or any other Person or Persons whatsoever, or any Transfer of any Share or Shares, Appointment of Proxy, Mortgage or Assignment, or other Writing whatsoever, made in pursuance of the Powers given in and by this Act, shall be charged or chargeable with any Stamp-duty whatsoever; and that no Proceedings to be had or taken in pursuance

Writings to be without Stamp.

Proceedings not to be quashed for Want of Form, &c.

Distress not to be deemed unlawful for want of Form.

Persons aggrieved may appeal to the Sessions.

Limitation of Actions.

General Issue.

Double Costs.

Public Act.

of this Act, shall be quashed or vacated for want of Form, or removed by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

CXIII. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

CXIV. Provided always, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, every such Person or Persons may, within Six Calendar Months, appeal to the Justices of the Peace at the General Quarter Sessions to be held in and for the County in which the Cause of Appeal shall arise, and not elsewhere; and the said Justices in their said Quarter Sessions shall, in a summary Way, either hear and determine the said Complaint, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said County, and then hear and determine the same, and, if they see Cause, may mitigate any Fine, Penalty, or Forfeiture, in such Manner as they shall think proper, and award such Costs to either of the Parties as they shall judge reasonable.

CXV. And be it further enacted by the Authority aforesaid, That if any Suit or Information shall be brought or commenced against any Person or Persons for any Thing done or to be done in pursuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions, herein before given or granted, every such Suit or Information shall be brought or commenced within six Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within six Calendar Months next after the doing or committing such Damages shall cease, and not afterwards, and shall be laid and brought in the County where the Matters in Dispute shall arise, 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 thereon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to have been so done, or if any Action, Suit, or Information, shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then, and in such Case, the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

CXVI. And be it further enacted by the Authority aforesaid, That this Act shall be allowed in all Courts whatsoever as a Public Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. XXIX.

An Act for vesting in *John Liardet*, Clerk, his Executors, Administrators, and Assigns, the sole Use and Property of a certain Composition or Cement of his Invention, throughout his Majesty's Kingdom of *Great Britain*, and in the Colonies and Plantations abroad, for a limited Time.

Preamble.

WHEREAS his most Excellent Majesty King *George* the Third, by his Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Third Day of *April*, which was in the Thirteenth Year of his Reign, did give and grant unto *John Liardet*, of *Great Suffolk-street*, in the Parish of *Saint Martin in the Fields*, in the County of *Middlesex*, Clerk, his Executors, Administrators, and Assigns, his sole Privilege and Authority to make, use, exercise, and vend, a certain Composition or Cement, for all the Branches concerning Buildings to which the same was applicable, within that Part of *Great Britain* called *England*, his Dominion of *Wales*, and Town of *Berwick upon Tweed*, and in any of his Majesty's Colonies and Plantations abroad, for the Term of fourteen Years: And whereas, unless the Term granted by the said Letters Patent be prolonged, and the Property of the said *John Liardet* in the said Invention better secured, not only within that Part of *Great Britain* called *England*, the Dominion of *Wales*, the Town of *Berwick upon Tweed*, and in his Majesty's Colonies and Plantations abroad, but also within that Part of *Great Britain* called *Scotland*, it will neither be possible for the said *John Liardet*, to receive an adequate Recompence for his Labour, Expence, and Time, nor for the Public at large to reap the various Advantages in Point of Utility and Oeconomy, as well as Ornament in Building, which would arise from this Invention were its Use universally diffused, and its Price lowered, upon which the Demand, and consequently the Profits of the Proprietor, must depend: And whereas the Cement from its Nature grows too hard for Use if not used soon after it is made, and therefore must be made where used, or near it, from which Circumstance the Use thereof has hitherto been confined to the Metropolis and a few Miles about it, as training Workmen and erecting Works is difficult and expensive: And whereas, if the Term is not enlarged, the same narrow Plan must be continued, a general Plan of erecting Works and training Men all over the Kingdom, which is necessary if

• the Use of the Cement is to be universal, cannot upon so short a Prospect be undertaken, the Circle cannot be enlarged, and the Price must continue such as may indemnify the Proprietor for his Expence; out of the Profits arising from a very small Consumption only, during his present Term: To the End therefore that the said *John Liardet* may be enabled and encouraged to prosecute and complete his said Invention, so that the Public may reap all the Advantages to be derived therefrom in their fullest Extent, may it please your Majesty (at the humble Petition of the said *John Liardet*) 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 sole Privilege and Advantage of making, using, exercising, and vending, the said Composition or Cement mentioned in the said Letters Patent, with the Additions and Improvements since made therein, within the Kingdom of *Great Britain*, and his Majesty's Colonies and Plantations abroad, shall be, and the same is and are hereby declared to be, vested in the said *John Liardet*, his Executors, Administrators, and Assigns, for and during the Term of Eighteen Years from thenceforth next ensuing, and fully to be complete and ended; and that he the said *John Liardet*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his or their Deputy or Deputies, Servants or Agents, or such others as he, the said *John Liardet*, his Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time, and at all Times during the Term of Years herein before last mentioned, shall, and lawfully may, make, use, exercise, and vend, the said Composition or Cement herein before mentioned, with all and every the Additions and Improvements thereof, within the Kingdom of *Great Britain*, and in his Majesty's Colonies and Plantations abroad, in such Manner as to him the said *John Liardet*, his Executors, Administrators, and Assigns, or any of them, shall in his or their Discretion seem meet; and that the said *John Liardet*, his Executors, Administrators, and Assigns, and every of them, shall, and lawfully may, have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time coming, growing, accruing, and arising, by Reason of the said Invention, for and during the said Term of eighteen Years herein before mentioned, to have, hold, exercise, and enjoy, the said Privileges and Authorities, and every Part thereof, unto the said *John Liardet*, his Executors, Administrators, and Assigns, for and during and unto the full End and Term of eighteen Years as aforesaid; and that no other Person or Persons, within the Kingdom of *Great Britain*, or in any of his Majesty's Colonies and Plantations abroad, shall at any Time, during the said Term of eighteen Years, either directly or indirectly, make, use, or put in Practice, the said Invention, or any Part of the same, nor in anywise counterfeit, imitate, or resemble the same, nor shall make, or cause to be made, any Addition thereunto or Subtraction from the same, whereby to pretend himself, herself, or themselves, the Inventor or Inventors, Devisor or Devisors thereof, without the Licence, Consent, or Agreement, of the said *John Liardet*, his Executors, Administrators, or Assigns, in Writing under his or their Hand and Seal or Hands and Seals first had and obtained in that Behalf, upon such Pains and Penalties as can or may be justly inflicted on such Offender or Offenders for his, her, or their Contempt of this Act, and further to be answerable to the said *John Liardet*, his Executors, Administrators, and Assigns, according to Law, for his and their Damages thereby occasioned.

The sole Privilege of making and vending the Cement vested in *John Liardet*, his Executors, &c. for eighteen Years.

Penalty on other Persons making Cement without Licence, &c.

• II. And whereas the said *John Liardet* has hitherto furnished the said Cement at the Rate of Sixpence per Foot Square on the Surfaces of all plain Buildings, and Two-pence per Foot running Measure for Arrises; to the End therefore that the Public may be assured of the Advantage of this Invention at the same Price during the Continuance of this Act, be it further enacted by the Authority aforesaid, That it shall not be lawful for the said *John Liardet*, his Executors, Administrators, or Assigns, during the Continuance of this Act, to ask, demand, or take, any greater Price than Sixpence by the Foot Square, and Two-pence per Foot as aforesaid for Arrises, for covering any plain Work with the aforesaid Cement or Composition.

John Liardet not to sell his Cement dearer than certain Prices mentioned.

III. Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or hinder any Person or Persons from making or using any Composition or Cement, or any Thing relating thereto, for the Purposes aforesaid, or for any other Purpose, which is or are not at present of the Invention or Application of the said *John Liardet*, or which has or have been publicly used or exercised by any other Person or Persons before the Date of the said Letters Patent herein before recited; but that all such Composition or Cement, and every Thing relating thereto, which is or are not at present of the Invention of the said *John Liardet*, or is or are not particularly ascertained and described in the Instrument or Specification herein after mentioned, shall be and remain to the Public, and to the respective Inventor or Inventors thereof, in like Manner as if this Act had never been made, any Thing herein contained to the contrary notwithstanding.

This Act not to hinder the making any Composition which is not the Invention of *John Liardet*, &c.

IV. And be it hereby declared and enacted, That every Objection which might have been made to the said Cement's not being a new Invention, within the true Intent and Meaning of an Act of the twenty-first of *James the First*, sufficient to invalidate Letters Patent, may be made in Bar to any Action brought by virtue or in consequence of this Act.

V. Provided always, That if the said *John Liardet*, his Executors, Administrators, or Assigns, or any Person or Persons who shall, at any Time during the said Term of eighteen Years, have or claim any Right, Title, or Interest, in Law or Equity, of, in, or to, the Power, Privilege, or Authority, of the sole making, using, exercising, and vending, the said Composition or Cement, shall make any Transfer or Assignment, or pretended Transfer or Assignment, of the said Liberty or Privilege hereby vested in the said *John Liardet*, his Executors, Administrators, and Assigns, or any Share or Shares of the Benefit or Profits thereof, or shall declare any Trusts thereof to or for any Number of Persons exceeding the Number of Five; or shall open, or cause to be opened, any Book or Books for public Subscriptions to be made by any Number of Persons exceeding the Number of Five, in order to the raising of any Sum or Sums of Money under Pretence of carrying on the said Liberty or Privilege hereby vested in the said *John Liardet*, his

If *John Liardet*, &c. shall transfer the Privilege of making Cement to more than 5 Persons, &c.

his Executors, Administrators, or Assigns; or shall, by him or themselves, or his or their Agents or Servants, receive any Sum or Sums of Money whatsoever, of any Number of Persons exceeding in the Whole the Number of Five, for such or the like Intents or Purposes; or shall presume to act as a Corporate Body, or shall divide the Benefit of the Liberty or Privileges hereby vested in the said *John Liardet*, his Executors, Administrators, and Assigns, into any Number of Shares exceeding the Number of Five; or shall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatsoever, during such Time as such Person or Persons shall have any Right or Title either in Law or Equity, which shall be contrary to the true Intent and Meaning of an Act of Parliament, made in the sixth Year of the Reign of his late Majesty King *George the First* (intituled, *An Act for the better securing certain Powers and Privileges, intended to be granted by his Majesty by two Charters, for Assurance of Ships and Merchandises at Sea, and for lending Money upon Bottomry, and for restraining several extravagant and unwarrantable Practices therein mentioned*); or in case the said Power, Privilege, or Authority, shall at any Time become vested in, or in Trust for, more than the Number of five Persons or their Representatives at any one Time, otherwise than by Devise or Succession, (reckoning Executors and Administrators as and for the single Persons whom they represent, as to such Interest as they are or shall be intitled to in Right of such their Testator or Intestate) that then, and in every of the said Cases, all Liberties and Advantages whatsoever, hereby vested in the said *John Liardet*, his Executors, Administrators, and Assigns, shall utterly cease, determine, and become void, any Thing herein before contained to the contrary thereof in anywise notwithstanding.

or shall do any Thing contrary to the recited Act of 6 Geo. I.

then this Act to become void.

John Liardet, &c. to cause a Specification of the Nature of his Invention to be enrolled in Chancery, within 4 Months, or to lose the Benefit of this Act.
Public Act.

VI. Provided also, and be it further enacted and declared by the Authority aforesaid That if the said *John Liardet*, his Executors, Administrators, or Assigns, or some or one of them, shall not particularly describe and ascertain the Nature of his said Invention in its present improved State, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and cause the same to be enrolled in the High Court of *Chancery*, within four Calendar Months after the passing of this Act; that then all the Liberties, Powers, Privileges, and Advantages, hereby vested in the said *John Liardet*, his Executors, Administrators, and Assigns, shall cease, determine, and be and become absolutely void, any Thing herein before contained to the contrary thereof in any-wise notwithstanding.

VII. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, 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 specially pleading the same.

C A P. XXX.

An Act more effectually to prevent the stealing of Deer, and to repeal several former Statutes made for the like Purpose.

Preamble.

‘ WHEREAS the Statutes now in Force for the Discovery and Punishment of Deer Stealers are numerous, and many of them ineffectual: And whereas the good Purposes thereby intended might be better effected, if such of the said Statutes as are found to be defective were repealed, and such good Provisions as are therein contained, together with such further Provisions as may be expedient, were reduced into one 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 if any Person or Persons shall course or hunt, or shall take in any Slip, Noose, Toyle, or Snare, or shall kill, wound, or destroy, or shall shoot at, or otherwise attempt to kill, wound, or destroy, or shall carry away, any Red or Fallow Deer, in any Forest, Chase, Purlieu, or ancient Walk, whether inclosed or not, or in any inclosed Park, Paddock, Wood, or other inclosed Ground, where Deer are, have been, or shall be usually kept, without the Consent of the Owner, or without being otherwise duly authorized, or shall be aiding, abetting, or assisting therein or thereunto, every Person so offending, by coursing, hunting, shooting at, or otherwise attempting to kill, wound, or destroy, or by aiding therein or thereunto, shall forfeit, for every such Offence, the Sum of twenty Pounds; and every Person so offending by killing, wounding, or destroying, or by taking in any Slip, Noose, Toyle, or Snare, or by carrying away, or by aiding therein respectively, shall, for every Deer so wounded, killed, destroyed, taken, or carried away, forfeit and pay the Sum of thirty Pounds; and if the Offender in any of the Cases aforesaid shall be a Keeper of, or Person in any Manner entrusted with the Custody or Care of Deer, in the Forest, Chase, Purlieu, ancient Walk, or inclosed Park, Paddock, or Wood, or other inclosed Place, where the Offence shall be committed, every such Offender shall forfeit and pay double the Penalty herein before appointed to be paid by other Offenders; and if any Person or Persons, after having been convicted of any of the aforesaid Offences, shall offend a second Time against this Act, by committing any of the aforesaid Offences, such second Offence, whether it be the same as the first Offence, or be any other of the aforesaid Offences, shall be deemed and adjudged to be Felony, and the Person guilty thereof, being lawfully convicted upon Indictment, shall be transported to one of his Majesty’s Plantations in *America* for the Space of seven Years.

Penalty on Persons who shall hunt, kill, wound, or shoot at, &c. any Fallow Deer, in any Forest, Park, &c. without being duly authorized.

Persons convicted under former Acts, shall be liable to Penalties, &c.

II. And be it further enacted, That every Person who hath been, or, before the Commencement of this Act, shall be, convicted under any Statute now in Force, for unlawfully hunting, coursing, killing, taking, or carrying away, any Deer out of any Forest, Chase, Purlieu, ancient Walk, Park, Paddock, Wood, or inclosed Ground, shall be subject and liable to the several Pains and Penalties by such Statute provided, in like Manner as if this Act had not been made; and in case any such Offender shall, after the Commencement of this Act, be guilty and convicted of any of the aforesaid Offences against this Act (the legal Proof of such first or former Conviction having been first made), every such Person shall be deemed and adjudged to have committed a second Offence against this Act, in like Manner as if this Act had

had

had been in Force at the Time of such first Conviction, and as if such Conviction had been made under the Provisions of this Act.

III. And, to the Intent that the Prosecution of Persons who shall offend a second Time in Manner aforesaid, may be carried on with as little Expence and Trouble as is possible, be it further enacted, That the Justice before whom any Person shall, after the Commencement of this Act, be convicted for the first Time of any of the Offences before described, shall transmit such Conviction, under his Hand and Seal, to the Quarter Session which next after such Conviction shall be holden for the County, Riding, Division, City, Town, or Place, wherein such first Offence shall be committed, there to be filed by the Clerk of the Peace, and to be kept amongst the Records of the Peace; and such Conviction so filed, or a true Copy thereof certified and subscribed by such Clerk of the Peace, shall be sufficient Evidence to prove the Conviction of such first Offence as aforesaid.

How Justices to proceed on Conviction of Offenders.

IV. And be it further enacted, That it shall be lawful for any one Justice of the Peace, upon Complaint made to him on Oath by any credible Person, that there is Reason to suspect any Person or Persons of having in his, her, or their Custody or Possession, or in any Dwelling-house, Out-house, Yard, Garden, or Place, any Red or Fallow Deer, which shall have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, Noose, Toyle, Snare, or other Engine, for the unlawful taking of Deer, by Warrant under his Hand and Seal, to cause such Person and Persons, and such Dwelling-house, Out-house, Garden, or Place, to be searched; and if any Red or Fallow Deer, suspected to have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, Noose, Toyle, Snare, or other Engine, suspected to be used for the unlawful taking or killing of Deer, shall be found in his, her, or their Custody or Possession, or in such Dwelling-house, Outhouse, Garden, or Place, to cause the same and such Person or Persons so having Possession, or in whose Dwelling-house, Outhouse, Garden, or other Place, the same shall be found, to be brought before any Justice of the Peace having Jurisdiction; and if such Person or Persons shall not produce before such Justice the Party of whom he, she, or they received the same, or satisfy such Justice that he, she, or they came lawfully by such Deer, or the Head, Skin, or other Part thereof, or had a lawful Occasion for such Slip, Noose, Toyle, Snare, or other Engine, or did not keep the same for any unlawful Purpose, then every such Person shall forfeit any Sum not exceeding thirty Pounds, nor less than ten Pounds, at the Discretion of such Justice.

Justices may grant Warrants to search suspected Houses, &c. for Heads and Skins of Deer, &c.

Penalty on Persons in whose Custody any such shall be found, &c.

V. And be it further enacted, That if any Red or Fallow Deer, suspected to have been unlawfully killed, or the Head, Skin, or other Part of such Deer, shall, on a Search under a Warrant from any Justice of the Peace, be found in the Possession or Custody of any Person or Persons, or in any Dwelling-house, Outhouse, Garden, or other Place, or shall be proved to have been in the Possession, House, Outhouse, Garden, or Place, of any Person or Persons who may be justly suspected to have come dishonestly or unlawfully by the same as aforesaid; and such Person or Persons so in Possession, or the Owner or Occupier of such Dwelling-house, Outhouse, Garden, or other Place, shall not, under the Provisions aforesaid, be liable to Conviction; then, and in every such Case, for the Discovery of the Party or Parties who actually killed or stole such Deer, it shall and may be lawful to and for any Justice of the Peace having Jurisdiction, as the Evidence given and the Circumstances of the Case shall require, to summon before him, at his Discretion, every Person through whose Hands such Deer, or the Head, Skin, or other Part thereof so found, shall appear to have passed; and if the Person and Persons from whom such Deer, or the Head, Skin, or other Part thereof, shall appear to have been first received, or who having had Possession thereof, shall not give Proof, to the Satisfaction of such Justice, that he, she, or they came lawfully by the same, such Person or Persons shall, on every Conviction, forfeit and pay any Sum not exceeding thirty Pounds, nor less than ten Pounds, at the Discretion of such Justice.

In case the said Persons cannot be convicted, how Justices are to proceed.

VI. And be it further enacted, That in case it shall appear, on the Oath of a credible Witness, that any Person or Persons hath or have had in his, her, or their Possession, House, Outhouse, Garden, or Place, any Red or Fallow Deer, or the Skin, Head, or other Part thereof, and shall be reasonably suspected to have come dishonestly or unlawfully thereby, then, and in every such Case, every such Person or Persons, and all other Persons through whose Hands the same shall appear to have passed under the like Suspicion, shall and may be proceeded against in like Manner and Form, and on Conviction shall be subject and liable to the same Penalty or Penalties, as if such Deer, or the Head, Skin, or other Part thereof, had been found in the Possession, House, Outhouse, Garden, or Place, of such Person or Persons, upon a Search made under and by virtue of any such Warrant as aforesaid.

Suspected Persons having Fallow Deer, &c. in their Possession, how to be proceeded against.

VII. And be it further enacted, That in case any Person or Persons shall set, lay, or use, any Net, Wire, Slip, Noose, Toyle, or other Engine, for the Purpose of taking or killing Deer, within or upon any Forest, Chace, Purlieu, or ancient Walk, or in the Ring or outer Fence or Bank dividing the same from the adjoining Lands; or in any inclosed Park, Paddock, Wood, or Ground, where Deer are, have been, or shall be usually kept, such Person or Persons, not being the Owner of such Forest, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or Ground, or intrusted with the Care of the Deer within the same, and shall be convicted of any of such Offences, every such Offender shall forfeit and pay, for the first Offence, any Sum not exceeding ten Pounds, nor less than five Pounds; and if afterwards convicted of any of the Offences last mentioned, shall, on every Conviction after the first, forfeit and pay any Sum not exceeding twenty Pounds, nor less than ten Pounds; which said respective Forfeitures shall be set at the Discretion of the Justice or Justices before whom the Offender or Offenders shall be convicted of such first or further Offence.

Penalty on Persons setting Nets, Wires, &c. for taking Deer, in any Forest, Chace, &c.

VIII. And be it further enacted, That if any Person or Persons shall at any Time wilfully pull down or destroy, or cause to be wilfully pulled down or destroyed, the Pale or Pales, or any Part of the Walls of any Forest, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or other Ground, where any Red or Fallow Deer shall be then kept, without the Consent of the Owner or Person chiefly intrusted with the Custody

Penalty on Persons pulling down Pales, or Walls, &c. of any Forest, Park, &c.

Custody thereof, or being otherwise duly authorised, every Person so offending shall be subject unto the Forfeiture and Penalty hereby inflicted for the first Offence of killing of any Deer.

Penalty on Persons carrying Fire-arms, into any Forest, Park, &c. with Intent to destroy Deer.

IX. And be it further enacted, That if any Person or Persons, carrying any Gun, or other Fire-arms, or any Sword, Staff, or other offensive Weapon, shall come into any Forest, Chace, Purlieu, or ancient Walk, or into any inclosed Park, Paddock, Wood, or into any other Ground where Deer are usually kept, be the same inclosed or not inclosed, with an Intent unlawfully to shoot at, course, or hunt, or to take in any Slip, Noose, Toyle, Snare, or other Engine, or to kill, wound, destroy, or take away, any Red or Fallow Deer, it shall be lawful for every Ranger or Keeper, or Person intrusted with the Care of such Deer, to seize and take from such Person and Persons, in and upon such Forest, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or other Ground, to and for the Use of the Owner thereof respectively, all such Guns, Fire-arms, Slips, Nooses, Toyles, Snares, or other Engines, and all Dogs there brought for coursing Deer, in the same and like Manner as the Game-keepers of Manors are empowered by Law within their respective Manors to seize and take Dogs, Nets, or other Engines, in the Custody of Persons not qualified by the Laws to keep the same; and if any such Person or Persons shall there unlawfully beat or wound any Ranger or Keeper, or his or their Servants or Assistants, in the Execution of his or their Office or Offices, or shall attempt to rescue any Person in the lawful Custody of any such Ranger, Keeper, Servant, or Assistant, every Person so offending shall be deemed and adjudged to be guilty of Felony, and on being lawfully convicted on Indictment, shall be transported to one of his Majesty's Plantations in *America* for the space of seven Years.

How Justices to proceed on Information of Offences.

X. And be it further enacted, That, upon Complaint or Information upon Oath, of any one or more credible Witnesses or Witnesses, before any one Justice of the Peace having Jurisdiction, of any Offence committed against this Act, it shall and may be lawful to and for such Justice (except in such Cases only where the Justice is specially directed previously to summon the Party before him) to cause the Person or Persons, who shall be charged by such Complaint or Information, to be apprehended by Warrant under the Hand and Seal of such Justice, and to be brought before him at such Time and Place as shall be specified in and by such Warrant, and thereupon such Justice shall and may proceed to hear the Matter of such Complaint or Information, and to adjudge and determine the same; and in such Case where it is provided by this Act that the Party complained of shall be summoned to appear, if the Party so summoned shall not appear according to such Summons, then, upon due Proof made of the Service of such Summons, either personally, or by leaving the same at his Dwelling-house, Lodgings, or other usual Place of Abode, it shall be lawful for the Justice, before whom the Party was so summoned to appear, to apprehend such Party by Warrant, and to proceed as if no previous Summons had been directed by this Act.

Penalties how to be recovered and applied.

XI. And be it further enacted, That all the pecuniary Penalties of this Act shall be recoverable before one or more Justice or Justices of the Peace for the County or other Division in which the Offence shall be committed, on Proof of the Offence, by the Oath of one or more credible Witnesses or Witnesses, or on Confession of the Offender; and one Moiety of each Penalty shall belong to the King's Majesty, his Heirs and Successors, and be paid, for his and their Use, into the Hands of such Person or Persons as the said Justice or Justices shall direct, and the other Moiety thereof shall belong and be paid to the Informer or Informers prosecuting for the same; and in case of Non-payment thereof, with the Charges incident to the Conviction, immediately upon the Conviction, the said Penalty or Penalties, and the Charges incident, shall be levied by Distress and Sale of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices before whom such Conviction shall be made; and for want of sufficient Distress, the Offender or Offenders, except in such Cases only where it is otherwise provided by this Act, shall be sent by the said Justice or Justices to the Common Gaol of the County or Place where the Offence shall be committed for the Space of one whole Year, without Bail or Mainprize, unless the said Penalty, and Charges incident, shall be sooner paid.

If not paid on Conviction, may be levied by Distress.

XII. And to the End that Persons convicted of any of the Offences for which pecuniary Penalties are inflicted by this Act, may not, by Flight or Removal after Conviction, evade Imprisonment where such Penalties shall not be paid on Conviction, and sufficient Distress cannot be found for raising such Penalties, be it further enacted, That it shall and may be lawful for the Justice or Justices of the Peace, before whom any Offender shall be convicted of having incurred any pecuniary Penalty of this Act, immediately after such Conviction, to order him or her into Custody, in case he or she shall not immediately pay the Penalty due on such Conviction, during such Time, not exceeding three Days, as such Justice or Justices shall think proper to allow for Return of the Warrant for raising the Penalty by Distress and Sale as aforesaid.

Justices may order Offenders into Custody, if Penalties are not immediately paid.

Provido.

XIII. Provided always, That if it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Party convicted or otherwise, that such Party hath not Goods or Chattels sufficient whereon to levy the Penalty or Penalties so due, then, and in such Case, the said Justice or Justices shall and may, without issuing any Warrant of Distress, proceed to commit the Party so convicted, as if a Warrant of Distress had been issued, and a *Nulla bona* returned thereon.

Regulations for Justices where Security is given.

XIV. Provided also, That if any Person, committed for any first Offence against this Act, shall, before his Commitment to Prison, procure Security to be given by two sufficient Sureties, to the Satisfaction of the Justice or Justices before whom he shall be so convicted, for Payment of the Penalty or Penalties incurred, with the Charges incident, within six Days, inclusive of the Day of Conviction, then, and in such Case, it shall be lawful for such Justice or Justices to accept such Security, and upon Non-payment thereof at the Time to be stipulated for that Purpose, to cause the Party convicted, and his said Sureties, to be apprehended by Warrant under his or their Hand and Seal, or Hands and Seals, and them to commit to the Common Gaol of the County or Place where the Offence was committed, for such Space of Time as the Party convicted was subject and liable to have been imprisoned in case no such Security had been given, unless the Penalty or Charges shall be sooner paid.

XV. And

XV. And be it further enacted, That it shall and may be lawful for any Keeper or Under-keeper of any Forest, Chace, Purlieu, ancient Walk, Paddock, Park, or other Ground inclosed, where Deer are, have been, or shall be usually kept, and their Servants or Assistants, to seize and apprehend, upon the Spot, any Person or Persons whom they shall discover in the actual Fact of hunting, coursing, killing, wounding, shooting at, taking, destroying, or carrying away, any Red or Fallow Deer from any such Forest, Chace, Purlieu, or ancient Walk, whether inclosed or not, or in any inclosed Park, Paddock, Wood, or in any other inclosed Ground, or attempting so to do, or in setting or laying any Net, Wire, Slip, Noose, Toyle, Snare, or other Engine therein, for the taking, killing, or destroying of Deer therein, and to carry such Offender or Offenders before some neighbouring Justice of the Peace having Jurisdiction, to be dealt with according to Law.

Keeper of any Forest, Park, &c. may apprehend Persons hunting, &c. of Deer, or laying any Net, &c. therein.

XVI. And be it further enacted, That in case any Offender for his first Offence against this Act shall, for want of a sufficient Distress, be committed to Gaol, and shall, whilst in Gaol, obtain the Consent in Writing of the Prosecutor, and also of the Owner, Ranger, Forester, Keeper, or other Person chiefly intrusted with the Care of the Deer in the Forest, Chace, Purlieu, ancient Walk, Park, Paddock, or Place, wherein the Offence was committed, for his Enlargement; that then, and in every such Case, it shall and may be lawful to and for the Justices of the Peace having Jurisdiction, at their Quarter or General Sessions, to cause such Offender to be brought before them, and thereupon by their Order to direct the Keeper of such Gaol to set such Offender at Liberty; and the said Keeper is hereby directed to obey such Order accordingly, any Thing herein before contained to the contrary notwithstanding.

In what Cases Offenders committed, may be enlarged.

XVII. And, for the better Discovery of Offenders against this Act, be it further enacted, That any Person who shall offend against this Act, and shall make Discovery of any other Person or Persons who hath or have offended against the same, so as he, she, or they, be duly convicted of such Offence according to this Act; then, and in such Case, such Discoverer shall be discharged of all the Forfeitures and Penalties of this Act, by him, her, or them incurred previous to such Discovery.

Any Offender making Discovery, &c. not liable to Penalties.

XVIII. And, in order to prevent the quashing of Convictions of Offenders against this Act for want of Form, be it further enacted, That the Conviction and Convictions of all and every Offenders against this Act shall be certified by the Justice or Justices of the Peace before whom the same shall be made, to the next General Quarter Sessions of the Peace, to be filed amongst the Records of the said Sessions; and that such Conviction shall be fairly written on Parchment or Paper in the following Form of Words, as the Case shall happen, or in any other Form of Words to the like Effect; that is to say, (to wit,)

How Justices to proceed for Conviction of Offenders.

BE it remembered, That on the _____ Day of _____ in the Year _____ A. B. was, upon the Complaint of C. D. convicted before _____ of the Justices of the Peace for _____ in pursuance of an Act passed in the _____ Year of the Reign of his Majesty King George the Third, for _____ (as the Case shall be.) Given under _____ Hand and Seal, the Day and Year above written.

Form of Conviction.

Which said Conviction shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for want of any Form or Words whatsoever.

XIX. And be it further enacted, That no *Certiorari* shall be allowed to remove any Conviction made, or other Proceedings, of, for, or concerning any Matter or Thing in this Act, unless the Party or Parties convicted shall, before the Allowance of such *Certiorari*, become bound to the Person or Persons prosecuting in the Sum of one hundred Pounds, with sufficient Sureties as the Justice or Justices of the Peace before whom the Offender was convicted, with Condition to pay unto the said Prosecutors, within thirty Days after such Conviction confirmed, on a *Procedendo* granted, their Full Costs and Damages, to be ascertained upon their Oaths; and shall become also bound to the Justice or Justices of the Peace before whom such Conviction was made, with such sufficient Sureties as such Justice or Justices shall approve of, in the Penalty of Sixty Pounds for each Offence, with Condition to prosecute such Writ of *Certiorari* with Effect, and to pay such Justice or Justices the Forfeitures due by such Conviction, to be distributed as by this Act is directed, or to render the Person or Persons convicted to such Justice or Justices, within thirty Days next after such Conviction shall be confirmed, or a *Procedendo* granted; and that in Default thereof, it shall be lawful to proceed to the levying of the Penalty mentioned in such Conviction, in such Manner as if no such *Certiorari* had been awarded.

On what Conditions *Certiorari* to be allowed.

XX. And be it further enacted, That, after the Confirmation of any Conviction or Convictions upon this Act, by any of the superior Courts at *Westminster*, and delivering the Rule to the said Justice or Justices, whereby such Conviction or Convictions hath or have been so confirmed, it shall and may be lawful for such Justice or Justices to proceed against the Party or Parties convicted, in the same Manner as if a *Procedendo* had been granted.

How Justices to proceed after Confirmation of Convictions.

XXI. Provided always, and it is hereby declared and enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by the Judgment or Determination of any Justice or Justices of the Peace, upon Conviction of or for any of the Offences in this Act, and shall not have sought his Remedy by removing the Matter by *Certiorari* as aforesaid, such Person or Persons may appeal from the Judgment of the said Justice or Justices, to the General or Quarter Sessions of the Peace, to be held for the said County, Division, or Place, where such Person or Persons was or were convicted, next after the Expiration of twenty Days from the Time of such Conviction; but the Person or Persons so appealing shall, and he, she, and they, are hereby required and directed to give at least six Days Notice in Writing to the Prosecutor or Prosecutors of such Person or Persons as shall so appeal, of such his, her, or their Intention of bringing and prosecuting such Appeal, and of the Matter thereof, and shall enter into Recognizance before some Justice or Justices of the Peace for the County, Division, or Place, wherein the Conviction or Judgment was made or given, with two sufficient Sureties, to be approved by the said Justice or

Persons aggrieved may appeal to the Quarter Sessions;

whose Determination shall be final.

Persons having paid the Penalty, or being imprisoned, may appeal, &c.

Proceedings not to be quashed for want of Form, &c.

Defendants may plead the General Issue.

Treble Costs.

Prosecutions under this Act to be commenced within 12 Months, &c.

Limitation of Actions.

Commencement of this Act.

Parts of various Statutes repealed :

13 Ric. II.
19 Hen. VII.
5 Eliz.

3 Jac. I.

7 Jac. I.

13 Car. II.
3 & 4 Gul. & Mar.

5 Geo. I.

10 Geo. II.

Justices, on Conviction to appear and try such Appeal at the General or Quarter Session which shall be held in and for the County, Division, or Place, wherein such Conviction or Judgment was made or given, next and immediately after the Expiration of ten Days from the Time of such Conviction, and to abide by the Order or Determination of such Court, and for Payment of such Cost and Charges as shall be awarded at the said Court; and every such Appeal and Appeals shall, by the Court at the said General or Quarter Sessions, to which such Appeal or Appeals is or are made, be then examined, and the Facts and Circumstances of the Case fully inquired into, and the Matter then finally heard and determined; and in case such Judgment, Determination, or Conviction, as aforesaid, shall be then and there affirmed, the Party appealing shall pay unto the Prosecutor or Prosecutors, his, her, or their full Costs, to be ascertained by Order of the said Court of General or Quarter Sessions.

XXII. Provided also, That in case any Person or Persons, thinking him, her, or themselves aggrieved, as aforesaid, shall have paid the Penalty inflicted by this Act for the Offence of which he, she, or they shall have been convicted, or shall be then imprisoned; every such Person or Persons having so paid, or being so imprisoned, may appeal to such Judgment, Order, Determination, or Conviction as aforesaid, on entering into Recognizance by himself, herself, or themselves only, and without any Surety or Sureties, conditioned as before mentioned, the said Penalty remaining in the Hands of such Justice or Justices, or such Person or Persons continuing in Prison in the mean time, and until the Merits of the said Appeal shall be heard and finally determined.

XXIII. Provided also, That no such Conviction made, or Judgment given as aforesaid, shall be set aside by the said Court or General or Quarter Sessions, for want of Form, or for want of stating, or through the mistaking of any Facts, Circumstances, or Matter whatsoever, in case the Facts alleged in the said Conviction, or on which the same shall be grounded, shall be proved to the Satisfaction of the said Court; but such Appeal and Appeals shall be decided on the Merits of the Case only; nor shall such Conviction or Judgment be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

XXIV. Provided also, and be it enacted, That if any Person or Persons shall be sued or prosecuted for any Matter or Thing which he or they shall do in pursuance of this Act, it shall and may be lawful to and for the Person or Persons so sued or prosecuted to plead the General Issue, and give the Special Matter in Evidence; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or suffer a Discontinuance; or if upon a Demurrer Judgment shall be given against the Plaintiff, the Defendant shall have and recover his Treble Costs, and have the like Remedy for the same as any Defendant hath in any other Case by Law.

XXV. And be it further enacted, That every Prosecution for any Offence against this Act, shall be commenced within twelve Calendar Months, but not after, from the Time of the Offence committed; and that such Persons as shall be prosecuted under this Act for any of the Offences aforesaid, shall not be liable to Prosecution for the same Offences under any other Act of Parliament, or in any Court of Attachment, Swainmote, Eyre, or any Forest Court.

XXVI. And be it further enacted, That all Actions, Writs, and Prosecutions, to be commenced against any Person or Persons for any Thing to be done under or in pursuance of this Act, shall be laid and tried in the County or Place where the Fact was committed, and shall be commenced within six Calendar Months after the Fact committed, and not otherwise.

XXVII. And be it further enacted, That this Act shall commence and begin to be in Force on the tenth Day of *June*, in the Year of our Lord one thousand seven hundred and seventy-six: And from and immediately after the Commencement thereof, so much of the thirteenth Chapter of the first Part of the Statutes made in the thirteenth Year of the Reign of *Richard* the Second, as inflicts a Penalty on those who shall use Heys, Nets, or other Engines, for destroying Deer; so much of the eleventh Chapter of the Statutes made in the nineteenth Year of the Reign of King *Henry* the Seventh, as relates to Deer; and also so much of an Act, made in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for punishing of unlawful taking Fish, Deer, or Hawks*, as relates to Deer; and also so much of an Act, made in the third Year of the Reign of King *James* the First, intituled, *An Act against unlawful hunting, and stealing of Deer and Conies*, as relates to Deer; and also so much of an Act, made in the seventh Year of the Reign of the said King *James* the First, intituled, *An Act for the Explanation of one Statute made in the second Session of this present Parliament, intituled, 'An Act against unlawful hunting, and stealing of Deer and Conies,'* as relates to Deer, except such Part thereof as repeals any Part of the Statutes of the third of *James* before-mentioned; and also an Act, made in the thirteenth Year of the Reign of King *Charles* the Second, intituled, *An Act to prevent the unlawful coursing, hunting, or killing of Deer*; as also an Act, made in the third and fourth Years of the Reign of their late Majesties King *William* and Queen *Mary*, intituled, *An Act for the more effectual Discovery and Punishment of Deer Stealers*; and also an Act, made in the fifth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for making more effectual an Act of the third and fourth Years of the Reign of King William and Queen Mary, intituled, 'An Act for the more effectual Discovery and Punishment of Deer Stealers;'* and also so much of an Act, made in the tenth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; and for the continuing two Clauses to prevent the cutting or breaking down the Bank of any River or Sea Bank, and to prevent the malicious cutting of Hop-binds, contained in an Act passed in the sixth Year of his present Majesty's Reign; and for the more effectual Punishment of Persons removing any Materials used for securing Marsh or Sea Walls or Banks, and of Persons maliciously setting on Fire any Mine, Pit, or Ditch of Coal, or Cannel Coal, and of Persons unlawfully hunting or taking any Red or Fallow Deer in Forests or Chaces, or beating or wounding Keepers or other Officers in Forests, Chaces, or Parks; and for the more effectually*

effectually securing the Breed of Wild Fowl; as relates to the second Conviction of any Person or Persons for unlawfully courting, hunting, taking in Toyles, killing, wounding, or taking away, any Red or Fal-low Deer, in any open or uninclosed Forest or Chace, or relates to beating or wounding Keepers or other Officers in Forests, Chaces, or Parks; shall be, and the same are hereby respectively repealed.

XXVIII. Provided always, and be it further enacted, That nothing contained in this Act shall extend to that Part of Great Britain called Scotland.

This Act not to extend to Scotland.

C A P. XXXI.

An Act for securing a Fund, belonging to certain Persons of the Theatre Royal, Covent-garden, applicable to charitable Uses; and for other Purposes.

WHEREAS in or about the Year one thousand seven hundred and sixty-five, a Contribution begun at the Theatre Royal, Covent-garden, towards the charitable Purpose of establishing a Fund, for the Support of such Performers belonging to the said Theatre as, through Age, Infirmary, or Accident, should be obliged to retire from the Stage; and to the occasional Relief of Performers in case of Sickness; and also to the Relief and Support of the Widows and Children of deceased Performers belonging to the said Theatre: And whereas, by the Profits arising from the voluntary Contributions of the Performers belonging to the said Theatre, and others, and also by the Profits which have arisen from some Plays acted for the Increase of the said Fund, a Capital, to the Amount of four thousand three hundred Pounds, or thereabouts, is now in the Hands of certain Trustees applicable to the Purposes aforesaid: To the End therefore that the said Fund, and the growing Produce thereof, may be effectually secured and duly applied, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every the Subscribers to the said Fund for the Time being, during such Time as he, she, or they respectively, shall pay to the same, shall be, and are hereby declared to be, one Body Corporate and Politic, in Deed and in Name, and shall be called by the Name of *The Society established for the Relief of indigent Persons belonging to the Theatre Royal, Covent-garden*: And by the same Name shall have perpetual Succession, and a Common Seal; and that they and their Successors, by the same Name may sue and be sued, implead and be impleaded, answer and be answered unto, in all or any Courts or Court of Record, and Places of Judicature, within this Kingdom of Great Britain; and that they and their Successors, by the Name aforesaid, shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the Purposes aforesaid, all and every such Sum and Sums of Money as have been paid, given, devised, or bequeathed, or shall, at any Time or Times hereafter, be paid, given, devised, or bequeathed, to and for the Ends and Purposes herein before mentioned; and that they and their Successors, by the Name aforesaid, shall and may at any Time hereafter, without Licence in Mortmain, purchase, take, or receive, hold, and enjoy, any Lands, Tenements, or Hereditaments, not exceeding the yearly Sum of five hundred Pounds.

Preamble

Subscribers in-
corporated.

Their Name,
and Powers.

II. And be it further enacted, That, from and after the passing of this Act, *Thomas Hull, George Matlocks, Thomas Baker, John Dunstall, Frederic Charles Reinhold, Robert Bensley, Matthew Clarke, Richard Rotton, and William Thomas Lewis*, shall be, and they are hereby appointed, a Committee for managing the said Fund, until the thirty-first Day of December, which shall be in the Year of our Lord one thousand seven hundred and seventy-six; and that the said Committee and their Successors, to be elected in Manner herein after mentioned, or the Majority of such Committee for the Time being, shall have full Power and Authority, from Time to Time, to dispose of the said Common Seal, and to alter or make new the same, and to direct the Use and Application thereof; and to make, ordain, and constitute, such and so many Bye-laws, Constitutions, Orders, and Regulations, as to them, or the major Part of them, shall seem necessary and convenient for the Appropriation of the said Fund, or touching, or in anywise concerning the Affairs and Business of the said Society, and the same Bye-laws, Constitutions, Orders, and Regulations, so made, to put in use and enforce accordingly, and at their Will and Pleasure to revoke, change, and alter the same, or any of them; which said Bye-laws, Constitutions, Orders, and Regulations, so as aforesaid made, shall be duly kept and observed by the said Society, and every Member thereof, provided the same be not contrary or repugnant to the Statutes, Customs, or Laws of this Kingdom, or the true Intent and Meaning of this Act.

A Committee
appointed;

who may alter
the Common
Seal, &c.

make Bye-laws,

III. And be it further enacted, That the said Committee, or the major Part of them, at a Meeting assembled by virtue of this Act, may, and are hereby impowered to appoint a Treasurer or Treasurers, and such other Officers as they shall think necessary for the Purposes of this Act; and from Time to Time remove any such Treasurer or other Officer or Officers, and appoint another or others in his or their Stead, if they the said Committee shall think fit; and shall, and are hereby required to take such Security from their Treasurer or Treasurers, or other Officers, as shall be adequate to the Trust reposed in him or them.

and appoint
Officers.

Officers to give
Security.

IV. And be it further enacted, That the said Committee shall meet together at some convenient Place, in or near the said Theatre, on the aforesaid thirty-first Day of December, or within ten Days after, for electing a Committee for the Year ensuing; and that, previous to such Election, the Names of all the Committee for the Time being shall be written on distinct Pieces of Paper, being all of an equal Size, and rolled up in the same Manner, as near as may be, and be put into a Box, or some other convenient Receptacle, and shall be shaken together; after which some Person, not interested in such Election, shall draw out the Names, one by one, until the Number remaining in the said Box or Receptacle shall be reduced

First Election
of the Commit-
tee.

Elections to be annual.

A Majority of Committee-men to belong to the Theatre.
Public Act.

reduced to six, and the six Persons whose Names shall so remain shall be six of the Committee for the ensuing Year; after which the said major Part of the Committee present shall proceed to elect three other Persons from amongst the several Subscribers to the said Fund (either such as were, or were not of the Committee for the preceding Year); and the three Persons so elected, together with the six Persons whose Names remained undrawn, as aforesaid, shall be the Committee for putting this Act in Execution for the Year next ensuing: And the Committee shall also meet together on or before the thirty-first Day of December in every succeeding Year, and elect a Committee, in Manner before mentioned: And in case any one or more of the said Committee hereby appointed, or to be elected in Manner aforesaid, shall die, or refuse to act in the Execution of this Act, the surviving or remaining Committee-men shall and may meet together at some convenient Place, in or near the said Theatre, and the major Part of such as shall so attend shall and may elect a Committee-man in the Room and Stead of each Committee-man so dying or refusing to act as aforesaid; and every Committee-man so to be elected, in any or either of the Cases aforesaid, shall have the same Powers and Authorities, for the Purposes of carrying this Act into Execution, as the Committee herein and hereby nominated and appointed are invested with.

V. Provided always, and be it further enacted, That at every annual Election of a Committee for the Purposes of this Act, a Majority of the Committee-men for the ensuing Year shall consist of Persons belonging to or employed at the said Theatre.

VI. And be it further enacted, That this Act shall be adjudged, 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 specially pleading the same.

C A P. XXXII.

An Act to enable the Company of Proprietors of the Navigation from the Trent to the Mersey, to make a navigable Canal from the said Navigation, on the South Side of Harecastle, in the County of Stafford, to Frogball, and a Rail-way from thence to or near Caldon, in the said County; and to make other Rail-ways.

Preamble.
Act 6 Geo. III.
recited.

Acts 20 Geo. III.

and 25 Geo. III.
recited.

Company of Proprietors empowered to make a Branch from the South Side of Harecastle: to or near Caldon, &c.

WHEREAS by an Act, made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for making a navigable Cut or Canal from the River Trent, at or near Wilden-ferry, in the County of Derby, to the River Mersey, at or near Runcorn-gap*; certain Persons therein named were united into one Body Politic and Corporate, by the Name of *The Company of Proprietors of the Navigation from the Trent to the Mersey*; with Power and Authority, at their own Costs and Charges, by the Ways and Means therein mentioned, to make, complete, and maintain, a navigable Cut or Canal, passable for Boats, Barges, and other Vessels, from the River Trent, below an ancient Ferry called *Wilden-ferry*, in the County of Derby, to the River Mersey, at or near *Runcorn-gap*; and several Commissioners were appointed by the said Act to execute the several Powers therein expressed: And whereas the said Company have, in pursuance of the said Act, and of another Act, passed in the tenth Year of the Reign of his said present Majesty, intituled, *An Act to amend an Act, made in the sixth Year of the Reign of his present Majesty*, “for making a navigable Cut or Canal from the River Trent, at or near *Wilden-ferry*, in the County of Derby, to the River Mersey, at or near *Runcorn-gap*;” and of another Act, passed in the fifteenth Year of the Reign of his said present Majesty, intituled, *An Act to amend and render more effectual two Acts, passed in the sixth and tenth Years of the Reign of his present Majesty, for making a navigable Cut or Canal from the River Trent, at or near Wilden-ferry, in the County of Derby, to the River Mersey, at or near Runcorn-gap*; proceeded to make the said Cut or Canal, and have completed eighty-two Miles thereof, and within that Compass have made the great Tunnel through *Harecastle-hill*, of the Length of two thousand eight hundred Yards, and also the Tunnel through *Preston-hill*, of the Length of one thousand two hundred and forty-one Yards; and also all the Locks necessary for the said Canal; and are proceeding to complete the Remainder of the said Canal with all possible Expedition: And whereas, from a Survey lately made, it appears, that a Branch may be made from the said Canal, on the South Side *Harecastle*, in the County of Stafford, by *Hanley*, *Norton*, and *Chedleton*, to *Frogball*, from whence a Rail-way may be made to or near several Lime-works and Limestone-quarries, at or near *Caldon* in the said County, whereby the Conveyance of Coals, Lime, Limestone, Timber, and other Goods, Wares, and Merchandises, will be facilitated, and rendered less expensive, and the Utility of the Undertaking, authorized by the said former Acts, will be greatly increased to the Public: And whereas, if Powers were given to make Rail-ways from the said proposed Branch to the several Coal-mines and Limestone-quarries lying near the Course of the said Branch, it would be of Advantage to the Public: And whereas the said Company are willing and desirous to extend, continue, make, and complete, such new-proposed Branch and Rail-ways at their own Expence, in Manner herein-after mentioned, and to do and perform such Things as shall be necessary for the supporting, maintaining, and rendering the same effectual: 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 Company, their Successors and Assigns, shall be, and they are hereby fully authorized and empowered, from Time to Time, and at all Times hereafter, at their own proper Costs and Charges, as hereafter mentioned, to make, complete, and maintain, a navigable Cut or Canal, passable for Boats, Barges, and other Vessels, from the said Canal so made and completed on the South Side *Harecastle* in the County of Stafford, by *Hanley*, *Norton*, and *Chedleton*, to *Frogball*, and from thence to make, complete, and maintain, a Rail-way for the Conveyance of Coal, Stone, and other Goods, to or near several Lime-works, and Limestone-quarries,

quarries at or near *Caldon*, in the County of *Stafford*; and also to make, complete, and maintain, other Rail-ways from the said proposed Canal and Rail-way to the several Coal-mines, and Limestone-quarries, lying near the Course of the said Canal and Rail-way first-mentioned, or the Termination thereof, from Time to Time, as they shall think proper, so that no such other or collateral Rail-way do exceed the Length of one thousand Yards; and to supply the said proposed Cut or Canal, whilst the same shall be making, and when made, with Water, from such Springs as shall be found in making the said Cut or Canal, and from such Brooks and Streams as are or shall be found within the Distance of one thousand Yards from any Part of the said intended Cut or Canal, for the more conveniently supplying the said Cut or Canal with Water; and, for that Purpose, in, upon, and through, the Lands and Grounds of or belonging to the King's Majesty, his Heirs or Successors, or of any other Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, (not being at this Time Ground whereon a Dwelling-house or Out-house stands, or a Garden, Yard, Park, Paddock, planted Walk, or Avenue to any House, Lawn inclosed or adjoining to a Mansion-house) to enter, and to bore, dig, cut, trench, fough, remove, and lay Earth, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters and Things, (except as herein-after is excepted) which may be dug or got in the making thereof, or which may hinder, prevent, or obstruct, the making, using, completing, extending, and maintaining the said proposed navigable Cut or Canal, and Rail-ways, and for making, using, completing, extending, and maintaining, such Trenches, Passages, Gutters, and Watercourses, as shall be necessary and proper to convey Water to and from the said Cut or Canal, according to the Tenor and Purport of this Act; and also to make, build, erect, and set up, in or upon the said intended Cut or Canal, and Rail-ways, or upon the Lands adjoining or near the same respectively, such and so many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks, Reservoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, and other Works, Ways, Roads, and Conveniencies, as and where they the said Company, their Successors and Assigns, shall think requisite and convenient for the Purposes of the said Canal and Railways; and also from Time to Time to alter, repair, and amend the same, and to make, widen, enlarge, or alter, any Bridges, Ways, Roads, Passages, Cuts, Locks, Tunnels, Aqueducts, Sluices, Trenches, or other Conveniencies, as well for the carrying and conveying Goods, Commodities, and other Things, to or from the said Cut, Canal, or Rail-ways, as for the carrying and conveying of all Manner of Materials, necessary for the making, erecting, finishing, altering, repairing, or amending the said Works of and belonging to the said proposed Canal and Rail-ways; and also to place, lay, work, and manufacture the said Materials on the Grounds near to the Place or Places where the said Works, or any of them, shall or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter, any Fences or Passages, over, under, or through the said proposed Canal and Rail-ways, or the Tunnels, Aqueducts, Soughs, Trenches, Passages, Gutters, and Sluices respectively, which shall communicate therewith; and also to make, set up, and appoint, such Towing-paths, Banks, Roads, and Ways, convenient for towing, haling, or drawing of Boats, Barges, or other Vessels, passing in, through, or upon the said Cut or Canal, as they the said Proprietors, their Successors and Assigns, shall think convenient; and also to dig, take, and carry away, Soil, Clay, Gravel, or Stone, proper, requisite, and convenient, for carrying on and continuing the said Works and Undertakings, in or from any Grounds of any Person or Persons adjoining or lying contiguous thereto, (not being, at the Time of passing this Act, a House, Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, or Lawn inclosed or adjoining to a Mansion-house) and to construct, erect, and keep in Repair, any Piers, Arches, and other Works, in, upon, and across any Rivers or Brooks, for the making, using, maintaining, and repairing the said proposed Canal and Rail-ways, and Towing-paths on the Sides thereof; and also to construct, erect, make, and do, all other Matters and Things which they shall think necessary and convenient for the making, effecting, extending, preserving, improving, completing, and using, the said proposed Canal and Rail-ways, in pursuance and within the true Meaning of this Act; they the said Company doing as little Damage as may be in the Premises and making Satisfaction in Manner herein-after mentioned to the Owners or Proprietors of, or Persons interested in, such Lands, Tenements, or Hereditaments, Waters, Watercourses, Brooks, or Rivers respectively, as shall be taken and used, diverted or prejudiced, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company, and their Servants, Agents, and Workmen, and all other Persons whatsoever, for what they or any of them shall do by virtue of the Powers hereby granted.

II. And whereas divers Levels and Surveys have been taken, to ascertain the Practicability of making the said intended Cut or Canal, and Rail-way, (and a Map or Plan, and a Book of Reference thereto, have been made in consequence of such Levels and Surveys) through, across, under, or over, the several Estates, Lands, or Grounds, now or late belonging, or reputed to belong, to the several and respective Persons, and such Roads, Rivers, and Brooks, as are particularly mentioned in the said Book of Reference; be it therefore further enacted and declared, That there shall be two Parts made of the said Map or Plan, and Book of Reference, which shall be certified by the Right Honourable the Speaker of the Honourable the House of Commons, and severally deposited with, and kept by, the Clerk of the Peace for the County of *Stafford*, and the Clerk to the said Company of Proprietors for the Time being, to which all Persons shall have Liberty to resort, and make Extracts and Copies thereof, as Occasion shall require, and the said Maps or Plans, and Books of Reference, so certified, or true Copies thereof, shall be, and are hereby declared to be, good Evidence in all Courts of Law, or elsewhere; and the Clerk for the Time being to the said Company of Proprietors, upon six Days Notice to him given for that Purpose, shall from Time to Time produce the said Map or Plan, and Book of Reference, in his Custody, before the Commissioners herein after appointed, and their Successors, or any Jury or Juries to be impannelled by virtue

and to supply the same with Water.

Proprietors may enter on Lands, and lay Earth, Stone, &c.

Proprietors may make Rail-ways, build Bridges, &c. on Lands adjoining;

and also make Towing-paths, Banks, &c. for haling Vessels;

making Satisfaction to the Owners.

Two Parts to be made of the Map and Book of Reference, which shall be certified by the Speaker of the House of Commons,

and then allowed to be given in Evidence.

of the said former Acts, or this Act, at the Time and Place to be mentioned in such Notice, in order that the same may be then and there given in Evidence.

Canal to be made
pursuant to the
Plan, &c.

III. And be it further enacted That the said Company, in making the said intended Cut or Canal, and Rail-way, shall not deviate more than sixty Yards from the Course of Direction in the said Map or Plan, and set forth in the said Book of Reference; nor cut, carry, and convey the same into, through, across, under, or over, any other Part or Parts of the several Estates, Lands, and Grounds, now or late belonging, or reputed to belong, to such Person or Persons, and such Roads, Rivers, and Brooks respectively, than are mentioned in the said Book of Reference, without the Approbation and Consent in Writing, signed by the Person or Persons to whom such Estates, Lands, or Grounds, do or shall respectively belong, or without an Order of the Commissioners, or any seven or more of them, at a Meeting to be held for that Purpose (of which fourteen Days Notice in Writing, signed by the Clerk for the Time being to the said Company, specifying the Deviation desired to be made, shall be given to the Owner or Owners of such Lands or Grounds); and if at the Time mentioned in such Notice, the said Commissioners, or any seven or more of them, shall think it reasonable that such Deviation therein mentioned ought to be made, it shall and may be lawful for them to make such Order in the Premises as to them shall seem proper, and the said Company shall and may make the said Cut or Canal, and Rail-way, in the Manner mentioned in such Order.

Land-owners
being omitted in
the Book of Re-
ference, not to
obstruct the
making the Can-
als, &c.

IV. Provided always, and it is hereby further enacted and declared, That the said Company shall and may make the said intended Cut or Canal, and Rail-way, through, across, or over, the Lands or Grounds of any Person or Persons whomsoever, into whose Estates, Lands, or Grounds, such Deviations as aforesaid shall extend, (although their Name or Names are not mentioned in the said Book of Reference) or into the Estates, Lands, or Grounds of any Person or Persons, whose Name or Names shall appear, to the Satisfaction of the said Commissioners, or any seven or more of them, and be by them certified under their Hands, to be by Mistake omitted in the said Book of Reference, or that, instead thereof, the Name or Names of some other Person or Persons, to whom such last-mentioned Estates, Lands, and Grounds, do not belong, have or hath by Mistake been inserted therein, any Thing herein contained to the contrary thereof in any wise notwithstanding.

Commissioners
appointed,

V. And, for the better and more effectual Execution of the Powers and Purposes of this Act, be it further enacted by the Authority aforesaid, That the several Persons named and appointed Commissioners in the said recited Act of the sixth Year of his present Majesty, qualified respectively as therein mentioned, and the Right Honourable Lord Viscount *Trentham*, the Right Honourable Lord *Langdale*, *William Adams*, *Joseph Adams*, *Charles Boyer Adderley*, *Thomas Ashwood*, *Samuel Boyer*, *Ralph Baddeley*, *Hugh Booth*, *James Bent*, *John Beckett*, *Luke Bennett*, *John Beech*, *Bullock*, *M. D. George Buxton junior*, *Henry Beard*, *Josiah Clowes*, *William Clowes junior*, *Charles Chatterley*, *Ephraim Chatterley*, *John Child*, the Reverend *John Dewes*, *John Davenport*, *John Daintry*, *Michael Daintry*, *Peter Davies*, *James Falconer Doctor in Divinity*, *Thomas Fletcher junior*, *Thomas Fenton*, *John Fenton Clerk*, *Samuel Freeth*, *Nigel Bouyer Gresley*, *Edward Green*, *Hugh Henshall*, *John Hales*, *John Hand*, *John Holliday*, *John Edensor Heathcote*, *William Kinnerley*, *Joseph Key*, *William Lowndes*, *Thomas Leigh*, *John Middleton Clerk*, *Thomas Middleton Clerk*, *Ralph Moreton junior*, *Thomas Mills junior*, *Francis Mare*, *Richard Moland*, *Thomas Myrton*, *Henry Myrton*, *John Sparrow*, *James Smallwood*, *Walter Sneyd*, *Thomas Swinnerton*, *James Swettenham*, *George Smith*, *Thomas Twemlow*, *George Twemlow*, *John Turner*, *Thomas Tomkinson*, *Josiah Wedgwood*, *Robert William-son*, and *Sampson Whieldon*, shall be, and they and their Successors are hereby appointed Commissioners for settling, determining, and adjusting all Questions, Matters, and Differences, which shall or may arise between the said Company, and the several Proprietors of, and Persons interested in, any Lands or Grounds, Tenements, Hereditaments, or Waters, that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and that such and the like Powers and Authorities as were respectively granted by the said recited Acts, made in the sixth and tenth Years of the Reign of his present Majesty, to the Commissioners thereby appointed, and their Successors, or any Number of such Commissioners, shall be, and are hereby granted to and vested in the Commissioners hereby appointed, and their Successors, with respect to all Matters which shall or may arise in, or in relation to, all or any of the Purposes of this Act; and the Provisions, Powers, and Authorities, Fines, Penalties, and Forfeitures, contained in the said former Act respectively, relative to the settling, determining, and adjusting, all Questions, Matters, and Differences, touching the Execution of all or any of the Purposes thereof, shall, with respect to the settling, determining, and adjusting such and the like Questions, Matters, Differences, and Damages, operate, and be put in Execution, in such and the same Manner, and as fully and effectually, to all Intents and Purposes, as if the said Provisions, Powers, Authorities, Fines, Penalties, and Forfeitures, were herein specially repeated and re-enacted, with respect to the Commissioners hereby appointed, and their Successors.

who are to settle
and determine
Differences.

Tonnage allow-
ed to be taken.

VI. And be it further enacted by the Authority aforesaid, That, in Consideration of the great Charges and Expences which the said Company must necessarily bear and sustain, in the making and maintaining the said proposed Canal, Rail-ways, and all the other Works hereby authorized to be erected and made, it shall be lawful for the said Company, from Time to Time, and at all Times hereafter, to ask, demand, take, and recover, to and for their own proper Use and Benefit, for Tonnage and Wharfage, for all Coal, Stone, Timber, and other Goods, Wares, Merchandizes, and Commodities whatsoever, which shall be navigated, carried, or conveyed, upon or through the said proposed Canal, Rail-ways, or Passages, such Rates and Duties as the said Company shall think fit, not exceeding the Sum of one Penny Halfpenny per Mile for every Ton of Coal, Stone, Timber, and other Goods, Wares, Merchandises, and Commodities, which shall be navigated, carried, or conveyed, upon or through the said Canal, Rail-ways, or Passages, and so in Proportion for any Quantity more or less than one Ton, and for any Distance more or less than one Mile; and also the further Sum of one Half-penny per Mile for every Ton of Coals, Cannel, and

Slack,

Slack, brought from any of the Coal-mines within the Parishes of *Kingsley* and *Cheadle*, lying on the South Side of the River *Churnett*, which shall be navigated, carried, or conveyed, upon any Part of the said Canal and Rail-way, or either of them, between the Turnpike-road in *Cheadleton*, and the Termination of the said Rail-way near *Caldon* aforesaid, and so in proportion for any Quantity more or less than one Ton, or for any Distance more or less than one Mile; which said Rates and Duties shall be paid at such Place or Places, near to the said Canal, Rail-ways, or Passages, in such Manner, and under such Regulations, as the said Company shall direct or appoint: And in case of Neglect, or Denial of Payment on Demand of any such Rates or Duties, or any Part thereof, to such Person or Persons as aforesaid, the said Company may sue for the same by Action of Debt, or upon the Case, in any Court of Record; in which Actions no Effoin, Privilege, Protection, or more than one Impar lance, shall be allowed, nor in any Action of Debt for the same shall any Wager of Law be admitted; or such Person or Persons so to be appointed as aforesaid may, and he and they is and are hereby empowered to seize and distrain any such Boat or Vessel, or Goods, for or in respect whereof any Rate or Duty ought to be paid, or any Part of such Goods, and detain the same until Payment thereof, together with reasonable Charges for such Seizure and Distress; and if such Distress shall not be redeemed within five Days after the taking thereof, the same to be appraised and sold as the Law directs in case of Distress for Rent.

If Duties not paid on Demand, Company may sue for the same, or distrain the Boat, &c.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Company, or the Committee for the Time being to be by them appointed, or any seven or more of such Committee, at any of their Meetings assembled, to borrow and take up, at legal or less Interest, any Sum or Sums of Money, not exceeding the Sum of twenty-five thousand Pounds, on the Credit of the Navigation and Undertaking authorized by this present Act, as to them shall seem meet and convenient; and they are hereby fully authorized and empowered to assign over the said Navigation, Undertaking, and Premises, and the Tolls, Rates, and Duties, arising by virtue of this present Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Tolls, Rates, and Duties), as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to such Person or Persons, or their Trustees, who shall advance the same, under the Common Seal of the said Company, by the following Words of Assignment, or by any other Words to the same Effect; (*videlicet*)

Company im- powered to bor- row 25,000l.

and to assign over the Navi- gation as a Se- curity.

‘ BY virtue of an Act, made in the sixteenth Year of the Reign of his Majesty King George the Third, to enable the Company of Proprietors of the Navigation from the Trent to the Mersey to make a navigable Canal from the said Navigation, on the South Side of Harecastle, in the County of Stafford, to Frogghall, and a Rail-way from thence to or near Caldun, in the said County; and to make other Rail-ways; we, the Company of Proprietors of the Navigation, incorporated by an Act made in the sixth Year of his present Majesty’s Reign, in consideration of the Sum of Money to us in Hand paid by his Executors, Administrators, and Assigns, all and singular the Tolls, Rates, and Duties, arising to the said Company, by virtue of the said Act made in the sixteenth Year of his present Majesty, and also the said Navigation, Undertaking, and Premises, thereby authorized, and all the Estate, Right, Title, and Interest of the said Company of, in, and unto the same, to hold unto the said his Executors, Administrators, and Assigns, until the said Sum of Interest for the same, after the Rate of

Form of Assign- ment.

do assign unto the said

of lawful British

together with

per Centum per Annum, shall be repaid.’

And all and every Person and Persons to whom such Assignment or Assignments shall be made, shall be equally intitled to their Proportion of the said Tolls, Rates, Duties, and Premises, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof, with the Interest as aforesaid, without any Preference by reason of Priority of Assignment, or on any other Account whatsoever; and the Money so borrowed shall be applied, in the first place, for discharging the Expences incurred in, and in relation to, the obtaining of this Act; and afterwards for making, continuing, completing, and maintaining the said navigable Cut or Canal, and other Works authorized by this Act, and in carrying this Act, and the several Provisions, Powers, and Authorities, herein contained, into effectual Execution; which Assignment or Assignments may be transferred in such Manner as is directed with respect to Assignments made in pursuance of the said recited Act, made in the tenth Year of his present Majesty; and the Assignee or Assignees shall, in like Manner, be intitled to the Money due on such Assignment or Assignments respectively, and the whole Benefit thereof, in as full and ample Manner as the Assignee or Assignees of any Assignment or Assignments made under or by virtue of the said Act made in the tenth Year of his present Majesty (Entries of such Assignments and Transfers respectively, where the Consideration amounts to upwards of one hundred Pounds, being made in such Manner as is directed by the said last-mentioned Act); and that the Interest of the Money which shall be borrowed by Mortgage as aforesaid shall be paid half-yearly to the several Parties intitled thereto, in preference to and before the Payment of any Dividends to the said Company of Proprietors, or any of them, for the same Half-year; and that all such Transfers, Securities, and Assignments, shall be free from all Stamp-duties.

No Preference to Creditors on account of Priority of Assign- ments.

Application of Money borrow- ed.

Assignments may be trans- ferred.

Interest of Mo- ney borrowed to be paid half- yearly.

VIII. And whereas the said proposed Cut or Canal, and Rail-way, will be of great Advantage to the several Proprietors of Collieries or Coal-mines situate in the Parishes of *Kingsley* and *Cheadle*, on the South Side of the River *Churnett*, near *Frogghall* aforesaid; and in consideration thereof, and as an Inducement to the said Company to make and complete the said Canal and Rail-way by *Frogghall* aforesaid, *Edward Leigh*, *Thomas Mytton*, and *John Beech*, Esquires, who are Proprietors of considerable Collieries or Coal-mines within one or both of the said Parishes, have agreed to advance and pay to the said Company, on or before the twenty-fifth Day of *December* next, the Sum of five thousand Pounds, to be laid out and expended towards making and completing the Canal, Rail-way, and other Works hereby authorized to be made, on such Security as herein after mentioned; be it therefore enacted by the Authority

One Half of the Duties vested in Proprietors of Coal mines, as a Security for 5000l.

to be paid quarterly.

As soon as the said 5000l. with Interest, shall be paid, the Half Part of the Duties to be re-vested in the Company, &c.

Preamble; reciting a Contract, wherein certain Proprietors of Limestone-quarries agree to deliver to the Company, yearly, Limestone at the Rate of Seven-pence per Ton.

thority aforesaid, That, as a Security for the said Sum of five thousand Pounds, and Interest, one undivided Moiety or Half Part (the Whole into two equal Parts or Shares to be divided) of and in all and singular the Tolls, Rates, and Duties, arising by virtue of this Act from Coals, Cannel, or Slack, the Produce of the said Parishes of *King'sley* and *Cheadle*, lying South of the said River *Churnett*, which shall be navigated, carried, or conveyed, upon the said Canal and Rail-way, or either of them, between the Turnpike-road in *Cheadleton* aforesaid, and the Termination of the said Rail-way, near *Caldon* aforesaid, shall be, and the same is hereby vested in the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Administrators, and Assigns (redeemable nevertheless by the said Company as herein after mentioned), and shall be received by the said Company with the other Tolls, Rates, and Duties, and paid by them to the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Administrators, or Assigns, by four quarterly Payments in the Year; which Payments shall be made and continue until the said Sum of five thousand Pounds, together with Interest for the same, from the Time the Principal shall be advanced, after the Rate of four Pounds ten Shillings *per Centum per Annum*, shall be fully paid and satisfied; and the Receipt or Receipts of the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, or either of them, or their or either of their Executors, Administrators, or Assigns, shall be a good and sufficient Discharge and Indemnification to the said Company for so much Money paid by them as aforesaid, as shall be mentioned and contained in such Receipt or Receipts respectively; and moreover, that the said Company, their Successors and Assigns, shall, out of the Money to arise under the Authority of this Act, well and truly pay, or cause to be paid, to the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Administrators, or Assigns, Interest for the said Sum of five thousand Pounds, from the Time the same shall be advanced, until the said Navigation and Rail-way, between *Cheadleton* and the Termination near *Caldon* aforesaid, shall be made and completed, after the Rate of four Pounds ten Shillings *per Centum per Annum*, in case the same shall not happen to be made and completed within two Years from the passing of this Act.

IX. Provided always, That if the said Company, their Successors or Assigns, shall and do, at any Time hereafter, well and truly pay, or cause to be paid, to the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Administrators, or Assigns, the said Sum of five thousand Pounds, together with Interest for the same after the Rate aforesaid, or so much thereof as shall then remain due, then, and in such Case, the said Moiety or Half Part of the said Tolls and Duties last mentioned shall from thence become wholly re-vested in the said Company, and the said quarterly Payments herein before directed to be made out of the same to the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Administrators, or Assigns, and all other the Estate and Interest of the said *Edward Leigh*, *Thomas Mytton*, and *John Beech*, of and in the said Tolls and Duties, shall cease, determine, and become void, any Thing herein before contained to the contrary notwithstanding.

X. And whereas there are very great Quantities of excellent Limestone in the Parishes of *Caldon* and *Alveton*, in the said County of *Stafford*, lying near the Termination of the said intended Rail-way, within the Estates of many different Persons, which Stone may be conveyed, by means of the said intended Rail-way and navigable Canal, and of the said Navigation between the *Trent* and the *Mersey*, to a very great Extent; and the Price of Lime, under the Provisions and Regulations of this Act, will be much reduced, which will greatly contribute to the Improvement of Land, and be highly beneficial to the Public: And whereas the said Company of Proprietors, in order to ascertain the Price of such Limestone, and to make those Advantages general and permanent, have made a Contract in Writing with *Thomas Gilbert*, *John Gilbert*, *Richard Hill*, *George Smith*, *Sampson Whieldon*, *Henry Copestake*, *Robert Bill*, and *William Woolliscroft*, being Proprietors of the different Quarries of Limestone lying near the Termination of the said intended Rail-way, according to their respective Estates and Interests in the said Limestone, by which the said Limestone Proprietors have agreed, yearly, and every Year for ever hereafter, to deliver to the said Company, their Successors or Assigns, or to such Person or Persons, and at such Time and Times, as the said Company, or their Clerk, shall nominate and appoint, such Quantities of good and merchantable Limestone, ready got and broke, in the Pits where got (as near as conveniently may be to the Rail-way intended to be carried to the said Quarries), as the said Company, or their Clerk or Agent, shall direct or appoint, at and after the Rate of Seven-pence *per Ton* for every Ton of such Stone, each Ton to consist of twenty-one hundred Weight, at a hundred and twenty Pounds to the Hundred; of which Quantity Notice is to be given before the last Day of *October* in the preceding Year: And further, that if they, their Heirs or Assigns, should, at any Time thereafter, neglect or refuse to deliver such Quantities as should be required, it should be lawful for the said Company, their Successors and Assigns, and such Person or Persons as they, or their Clerk or Agent, should from Time to Time nominate or appoint, to enter into and upon the Lands, Grounds, or Stone-quarries, of any of the said Proprietors of Limestone, their Heirs or Assigns, and to get, take, and carry away, such Quantities of Limestone as they should think proper, out of any of the Pits or Quarries aforesaid, paying after the Rate of Two-pence a Ton, to be computed as aforesaid, for the same (such Stone to be got in a regular and proper Manner): And it was further agreed, that the said Company should, as soon as conveniently might be after passing this Act, make proper and convenient Rail-ways from the said Rail-way from *Frogball*, to or near the Face of each of the said Limestone-pits, in the several Pieces of Land or Ground wherein the said several Parties had Limestone as aforesaid, and keep the same at all Times in proper Repair; and should take the Tonnage to be allowed by the said intended Act, according to the Length of such respective Rail-way, for the Stone to be conveyed upon the same: And whereas the said *John Gilbert*, *Richard Hill*, *George Smith*, and *Sampson Whieldon*, are interested in the said Limestone lying in the said Parish of *Alveton*, by virtue of a Lease made by the Right Honourable the Earl of *Shrewsbury*; and the said Earl is seised of the Freehold thereof, subject to such Lease; and the said Earl hath agreed with the said Company, that the said Agreement shall for ever continue

and remain binding upon the said Earl, and all Persons claiming under him, and his and their Lessees and Tenants, from Time to Time, with respect to the said Limestone lying in the said Parish of *Alveton*: And whereas the said Company have made such Contract and Agreement with Intent to serve the Public with Limestone on the cheapest and most reasonable Terms, and are desirous of having the said Agreement executed and performed in such Manner as shall distribute the Benefit thereof most generally and equally: Be it therefore further enacted by the Authority aforesaid, That the said Contract and Agreement so made as aforesaid shall be, and is hereby ratified and confirmed, and shall be and for ever remain binding upon the said Company, their Successors and Assigns, and the said several Proprietors of Limestone aforesaid, their respective Heirs, Executors, and Administrators; and that the said Limestone shall be got and provided by the said several Proprietors thereof, at the Rate and Price aforesaid, in such Proportions as shall be agreed amongst them, and approved by the said Company, before the last Day of *September* for the Year then next succeeding; and, in Default of such Agreement and Approbation, the same shall be got and provided in the Proportions following; (that is to say) Two Fifth Parts thereof by the said Earl of *Shrewsbury*, his Lessees or Tenants, out of the Quarry lying in the said Parish of *Alveton*; One Fifth Part thereof out of the Lands of the said *Thomas Gilbert*, called *The Low Pieces*, in the said Parish of *Caldon*; One other Fifth Part out of the Land of the said *Henry Copestake*, called *Hemingflow* or *Caldonlow*, in the said Parish of *Caldon*; and the remaining Fifth Part out of the Land of the said *Robert Bell*, *Sampson Whieldon*, and *William Woolliscroft*, called *The Quarter Piece*, in the Parish of *Caldon* aforesaid: And to the Intent the Public may be supplied with Limestone as punctually and conveniently as may be, the said Company, their Successors and Assigns, shall, and are hereby required to direct one of their Clerks, whose Name and Place of Residence they shall notify to the Public, to provide a Book, and make Entries therein of the Quantities of Limestone which any Person or Persons shall order under the Authority of this Act, which Order shall be given, and Entry made, on or before the last Day of *September*, for Stone to be delivered in the then succeeding Year; and the said Company, their Successors and Assigns, shall, and are hereby required to distribute such Orders amongst the said several Proprietors of Limestone, in the Proportions aforesaid, as near as conveniently may be, and notify the same to them on or before the fifteenth Day of *October* then next following.

The above-mentioned Contract ratified and confirmed.

A Book to be provided, and Entries to be made therein of the Quantities of Limestone ordered, &c.

XI. And, for the better and more certain Accommodation of the Public, and the greater Security and Convenience of the Proprietors of Limestone, be it further enacted, That no such Order shall be given, and entered in the said Book, for any less Quantity of Stone than one hundred Tons; and that a Deposit shall be made, at the Time such Order shall be given and entered, with the Clerk of the said Company as aforesaid, of Two-pence per Ton, in proportion to the Quantity of Stone ordered, and shall be afterwards paid to the Person or Persons to whom the said Company shall allot the providing and furnishing such Stone, in Part of Payment of the same; which Stone shall, for the greater Convenience in carrying away the same, be got, and ready to be delivered, in Manner following; that is to say, any Quantity between one hundred and three hundred Tons shall be got and ready to be delivered within any Time to be named in such Order, not being sooner than two Months from the Time of giving the same; any Quantity between three hundred and six hundred Tons, within any Time to be named in such Order, not being sooner than three Months from the Time of giving the same; any Quantity between six hundred and one thousand Tons, within any Time to be named in such Order, not being sooner than five Months from the Time of giving the same; and any Quantity exceeding one thousand Tons shall be delivered in Manner following, *viz.* One Fourth Part thereof before the first Day of *January*, One other Fourth Part before the first Day of *April*, One other Fourth Part before the first Day of *July*, and the remaining Fourth Part before the first Day of *October*, in the Year next succeeding such Order; and all the said Stone to be so ordered shall be carried away by the Person or Persons ordering the same, from Time to Time, as the same shall be got, if conveniently may be (Obstructions by Frost, or other unavoidable Accidents, excepted): And that it shall and may be lawful for any Person or Persons to give and enter Orders for any Quantity or Quantities of Limestone, at other Times than that before mentioned, upon the Person or Persons giving such Order making a Deposit of Four-pence per Ton for the Quantity ordered, and agreeing to take the same at the Times when it will be convenient to have the same got, without interfering with the Orders so to be given on or before the said last Day of *September*: And in case the Quantity of Stone so to be ordered on or before the last Day of *September*, shall not be provided and furnished according to such Deposit, and the Directions aforesaid, unavoidable Obstructions by Frost excepted, the said Company shall repay such Deposit to the Person making the same, and giving such Order, his Executors or Administrators, and also a further Sum, by way of Forfeiture, equal to that so deposited, or in Default of Payment thereof the same shall and may be respectively recovered from the said Company, their Successors or Assigns, by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*; and the said Company of Proprietors, their Successors and Assigns, shall and may, in like Manner, recover the same from the Proprietor or Proprietors of Stone who had received such Deposit, and undertaken to execute such Order, and make Default therein: And in case the Person or Persons ordering such Stone, and making such Deposit, shall not carry away the said Stone according to the Directions and true Intent and Meaning of this Act, he or they, for such Default, shall forfeit such Deposit; and moreover, in case of such Neglect and Default as aforesaid in the Proprietor or Proprietors of Limestone, with respect to Limestone ordered and entered in such Book on or before the last Day of *September*, it shall and may be lawful for the said Company of Proprietors, their Successors or Assigns, or for the Person or Persons to whom such Stone was to be delivered, to enter into the Pit or Quarry of such Proprietor or Proprietors of Limestone having so made Default, and to employ any Person or Persons to get the Quantity so required, upon paying the Sum of Two-pence per Ton only, of the Measure aforesaid, for such Stone, they getting the same in a regular and proper Manner.

No Order to be entered for less than 100 Tons; and a Deposit of Two-pence per Ton to be left with the Clerk of the said Company.

Orders for Limestone may be given at other Times of the Year, on depositing 4d. per Ton, &c. Penalty on either Party making Default, &c.

' XII. And, in order to prevent the Consumption of Water by the conveying of Lime or Limestone, which, by the said first-recited Act, is to pay less Rates, Tolls or Duties, than are thereby authorised to be taken upon other Goods passing through the Locks upon the said Navigation from the *Trent* to the *Mersey*, when there shall not be sufficient Water to supply the Lockage for Goods which pay the full Tolls, Rates, or Duties, authorised to be taken by the said Act; be it further enacted, That it shall not be lawful for any Boat, or other Vessel, carrying Lime or Limestone, to pass through any Lock or Locks upon the said Navigation between the *Trent* and the *Mersey*, except at Times when the Water flows over the Weir made to convey the waste Water from the Pound out of which such Lock or Locks is or are to be filled, without paying the like Rate, Toll, or Duty, which other Goods are liable to pay.

At what Times Vessels loaded with Lime or Limestone may pass through the Locks, &c.

Occupiers of the Forge or Pool at Cunfall not to draw Water lower than nine Inches from the Top of the Weir.

Proviso, for preserving the Water of the River Charaett.

Powers contained in three Acts (6, 10, and 15 Geo. III.) extended to the Works to be executed by this Act;

except as excepted.

XIII. And whereas the said Company do intend to make a Part of the said proposed Canal through the Pool or Pound of Water at *Cunfall-forge*, the Property of the Right Honourable *Marmaduke* Lord *Langdale*, situate at *Cunfall*, in the said County of *Stafford*, and to cleanse and deepen the said Pool or Pound of Water, which will be of Advantage to the said Forge; be it therefore further enacted by the Authority aforesaid, That it shall not be lawful for the Tenants or Occupiers of the said Forge or Pool, or Pound of Water, to draw the Water in the said Pool or Pound more than nine Inches lower than the Cap or Top of the Weir now erected at the said Pool or Pound of Water; and if the Tenants or Occupiers of the said Forge, Pool, or Pound of Water, shall at any Time draw the Water in the said Pool or Pound lower than the said nine Inches, so as to obstruct the Passage of any Boat or Boats along or through the same, then, and in such Case, the said Company, or any Person or Persons navigating upon the said Pool or Pound of Water, shall and may, and they are hereby authorised and impowered, to shut down the Flood-gates of or belonging to the said Pool or Pound of Water, and to continue the same so shut, until the said Pool or Pound of Water shall be raised within three Inches of the Top of the said Weir.

XIV. Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall authorise or empower the said Company, their Successors or Assigns, or their Agents, Workmen, or Servants, to take or convey into the said proposed Canal, any Water out of any of the Streams or Brooks that now flow into the River *Churnett* (except what shall be necessary for filling the said Canal, and the Purpose of Lockage); and that all the waste Water that shall or may flow out of the Pound at the Summit of the said proposed Canal, shall be discharged into the said River, higher than the Mills called *Chedleton Mills*, situate at *Chedleton* aforesaid; and the said Company are hereby required, at all Times hereafter, to keep the Lock of the said Pound next to the River *Trent* in good and sufficient Repair, in order to prevent the Water of the said Pound being wasted and diverted from the said River *Churnett*, any Thing herein contained to the contrary notwithstanding.

XV. And be it further enacted by the Authority aforesaid, That, for the more easy and effectual making, completing, repairing, maintaining, and using, the said proposed Canal, Rail-ways, and the several other Works, Matters, and Things aforesaid, the said Company, their Agents, Servants, Workmen, and Labourers, and all and every other Person and Persons, Commissioner and Commissioners, Bodies Politic, Corporate, or Collegiate, whatsoever, shall have, and be seized and possessed of, and is and are hereby invested with, such and the like Estates, Authorities, Powers, Abilities, Interests, Privileges, and Advantages; and shall be, and is and are hereby made subject and liable to such and the like Rules, Conditions, Directions, Regulations, Limitations, Restrictions, Controuls, Payments, Penalties, Forfeitures, Punishments, and Benefit of Appeal, as are mentioned, directed, given, granted, prescribed, established, and inflicted, in and by the said Acts, made in the sixth, tenth, and fifteenth Years of the Reign of his present Majesty, to every Intent and Purpose whatsoever; and that the said Acts, and all the Clauses, Provisoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things therein respectively contained (except such Parts of the said Act passed in the sixth Year of the Reign of his said Majesty, as are varied or altered by the said Act passed in the tenth Year of the Reign of his present Majesty, and also except such Parts of both of the said Acts, or either of them, as are hereby altered or varied), shall extend, and are hereby extended to, and shall take Effect, operate, and be put in Execution, in, for, and in respect of, the continuing, making, completing, repairing, maintaining, and using, the said proposed Cut or Canal, and the several Works, Matters, and Things, by this Act authorised to be made, done, and performed, and for the Punishment of Offences in relation thereto, and for the selling and conveying of Lands, Tenements, and Hereditaments, and ascertaining the Value thereof, and for determining and assessing of Damages, and all other Matters and Things which shall relate to, or happen or arise by, or in consequence of, the Execution of all or any of the Powers of this Act, in such and the same Manner, and as fully and effectually, to all Intents and Purposes whatsoever, as the same can or may operate and be executed to, upon, for, or in respect of, the Cut or Canal, and the several Works, Matters, and Things, in the said former Acts respectively mentioned, or authorised to be made, done, and performed, and as if all the said Clauses, Provisoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things, were herein repeated, re-enacted, and applied to the said Cut or Canal, Rail-ways, Tunnels, Soughs, Trenches, Sluices, Piers, Arches, Bridges, and the several other Matters and Things by this Act authorised to be made, done, and performed, or as the same would have been done if the said Cut or Canal, Rail-ways, Works, Matters, and Things, hereby authorised to be continued, made, and done, had been authorised to be made, done, and performed, by the said former Acts, or either of them.

C A P. XXXIII.

An Act to remove the Danger of Fire amongst the Ships in the Port of *Bristol*, by preventing the landing certain Commodities on the present Quays; and for providing a convenient Quay and proper Places for landing and storing the same; and for regulating the said Quay, and the Lighters, Boats, and other Vessels carrying Goods for Hire within the said Port of *Bristol*; and for other Purposes therein mentioned.

WHEREAS the Port of *Bristol* is a Place of great Trade and Commerce, and the Ships and Vessels lying at the Quays thereof are by the Efflux of the Tide left dry twice in every twenty-four Hours, whereby they frequently receive Damage: And whereas great Quantities of Timber, Deals, Staves, Tar, Pitch, Rosin, and Turpentine, have for many Years past been imported into the said Port, particularly in the Summer Months, during which Time it has frequently happened that there has not been Room within a convenient Distance from the said Quays for storing the same, by reason whereof, and of the Expence of removing the same, which on Articles so cumbrous and of such low Value amounts to a great Charge, the Quays have been often through Necessity greatly incumbered, and the Danger of Fire to the Ships in the Port much dreaded: And whereas the Master, Wardens, and Commonalty, of the Society of Merchant Venturers of the said City of *Bristol*, have from Time to Time expended very large Sums of Money for the Benefit of the Navigation and Trade of the said Port, and with a View to provide a Remedy for the afore-mentioned Inconveniencies, have purchased certain Docks and Yards in the Parish of *Clifton*, in the County of *Gloucester*, adjoining to the River *Avon* within the said Port, and have, at a very considerable Expence, rendered one of the said Docks, now called *The Floating-dock*, capable of receiving and floating the largest Ships using the said Port: And whereas the Danger of Fire to the Ships in the said Port and to the City of *Bristol* would be greatly lessened, and it would be more beneficial to all Persons using the Trade of the said Port, if the said Floating-dock was enlarged on the North-western Side thereof, and rendered capable of containing a greater Number of Ships than at present, and if a convenient Quay, with proper Storehouses, Warehouses, Sheds, and Yards, were built, erected, made, and laid out, for landing, storing, and laying up, the afore-mentioned Articles of Trade: And whereas the said Society are willing to enlarge the said Floating-dock, and to build such Quay as aforesaid, and to erect and make the several other Works before mentioned; but cannot effect the same, and completely remedy the Inconveniencies afore-mentioned, without the Aid 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 and may be lawful for the said Master, Wardens, and Commonalty, of the Society of Merchant Venturers of the said City of *Bristol*, and they are hereby authorized and impowered to enlarge the said Dock called *The Floating-dock*, on the North-western Side thereof, in such Manner as they shall think proper; and likewise to build and make a convenient Quay on such North-western Side, with proper Storehouses, Warehouses, Sheds, Yards, and Places, for landing, storing, and laying up the said Goods.

II. And be it further enacted, That all the Land and Ground situate on the North-western Side of, and adjoining to, the said Floating-dock, and extending in Breadth on or towards the North-west from the Quay-wall of the said Floating-dock (whether in its present State, or as the same shall be enlarged) two hundred Feet, and extending of the same Breadth from the Water of *Avon* to the North-east End of the said Dock (whether in its present State, or as the same shall be hereafter enlarged), shall be, and the same is hereby declared to be, a Quay for the landing all Sorts and Kinds of Timber (including Mahogany), Planks and Boards, Deals and Staves, Tar, Pitch, Rosin, and Turpentine, in whatever Quantities the same shall from Time to Time be imported into the said Port of *Bristol* in any Ship or Vessel whatsoever: Provided the Owners of such Goods do first pass a regular Entry thereof, and pay the Custom and other Duties, and before they unship any of the Goods give Notice of the Day and Hour of Landing, in Writing, to the principal Officers of the Customs at the said Port of *Bristol* for the Time being, that they may direct the proper Officers to attend accordingly; and provided that none of the Goods be unshipped but in the Presence of a Waiter or Officer so appointed thereunto, otherwise the said Goods to be liable to Forfeiture according to Law.

III. And be it further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June* one thousand seven hundred and seventy-seven, it shall not be lawful for any Person or Persons whomsoever to land any Timber, Planks, or Boards of any Sort or Kind, Deals, Staves, Tar, Pitch, Turpentine, Rosin, or other the Commodities aforesaid, on any Part of the present Quays within the said City of *Bristol*, from or out of any Ship or Vessel coming into the said Port of *Bristol* (except in the Cases herein after mentioned), Two Third Parts of the Cargo whereof shall consist of all or any of the said Articles, or from or out of any Lighter, Boat, or other Vessel, bringing the same from any such Ship or Vessel, upon Pain of forfeiting, for every such Offence, the Sum of fifty Pounds; and the Master or Owner, or other Person having the Command, Charge, or Care, of any Ship or Vessel coming into the said Port of *Bristol* after the said twenty-fourth Day of *June*, which shall be in the Year one thousand seven hundred and seventy-seven, Two Third Parts of the Cargo whereof shall consist of all, any, or either of the said Articles (the Proportion of such Cargo to be ascertained by the Tonnage of the whole Cargo), shall cause the said Ship or Vessel to be unladen of all such Articles at the said new-intended Quay, upon Pain of forfeiting fifty Pounds for each Offence.

Preamble;

Master, Wardens, and Commonalty, of the Society of Merchant Venturers, impowered to enlarge the Floating-dock, and to build Storehouses, &c. Ground allotted for a new Quay.

Rules to be observed by Merchants.

Timber, Planks, &c. not to be landed on the present Quays, after June 24, 1777;

on Penalty of 50 l.

This Act not to extend to Timber brought coastwise;

nor to prevent landing at private Wharfs, &c.

Duties now payable on the Importation of certain Articles, &c. to continue so on being landed at the new Quay.

Rates to be paid for storing of Goods, &c.

Mayor and Justices may lower the Rates, &c.

Tar, Pitch, &c. not to be left on the Quay longer than seven Days after gauging.

Piece of Ground to be appointed for laying up Balks, Masts, &c.

IV. Provided always, That nothing herein contained shall extend, or be construed to extend, to Timber, Planks, or Boards, brought coastwise into the said Port; but that the same shall and may be landed on that Part of the present Quay (commonly called *The Back of Bristol*) in the same Manner as such Timber hath been usually landed there.

V. Provided also, That nothing herein contained shall extend, or be construed to extend, to prevent any Owner or Master of any Ship or Vessel, or the Owner or Owners of any Timber, Planks, or Boards, Deals, Staves, Tar, Pitch, Rosin, or Turpentine, or any of the Commodities herein before recited, or his or their Agent, Factor, or Consignee, from landing or unloading the same, or any Part thereof, at any private Quay or Wharf within the said Port, where the same may now, or at any Time hereafter (by Consent of the proper Officer of his Majesty's Customs within the said Port), be landed or unloaded, nor to prevent any such Person or Persons from landing or unloading any of the said Articles at the present Quay within the said City of *Bristol*, such Person producing a Certificate, under the Hands of any two of his Majesty's Justices of the Peace for the said City and County of the City of *Bristol*, to the proper Officer of his Majesty's Customs within the said Port of *Bristol* (such Certificate to be grounded on the Oath of the Party applying for the same), that, at the Arrival of such Ship or Vessel, a Birth or Place could not be had fit for such Ship or Vessel to lie in for landing and unloading such Articles as aforesaid upon the said new-intended Quay; any Thing in this Act to the contrary hereof notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That the Duties which are now due and payable for Wharfage, Tonnage, Tannage, Plankage, and the Duties commonly called *The Town Duties*, and all other Duties and Customs whatsoever now payable in the said Port of *Bristol* on the Arrival of any Ship or Vessel at the Quay or *Back of Bristol*, or on the Importation of Timber (including Mahogany), Planks, or Boards, Deals, Staves, Tar, Pitch, Rosin, and Turpentine, or any of the Commodities aforesaid, shall still continue due and payable, and shall be paid to the several Persons who now are, or hereafter shall be, intitled to the same, for all Ships and Vessels which shall arrive at the said intended Quay; and for all Timber (including Mahogany), Planks, and Boards, Deals, Staves, Tar, Pitch, Rosin, and Turpentine, and all other the Commodities aforesaid which shall be landed on the said new-intended Quay in the said Parish of *Clifton*, in like Manner as if the said Ships or Vessels had arrived at the Quay or *Back of Bristol*, or as if the said Goods had been landed on either of the present Quays, within the said City of *Bristol*; and also that the Rates which are now due and payable, or which shall be hereafter settled, for lading or unlading such Goods or Merchandise on the present Quays within the said City of *Bristol*, shall be paid for the lading or unlading the same on the said new-intended Quay in the said Parish of *Clifton*.

VII. And, in order to defray the Expence of making, building, maintaining, and supporting, the said new Quay, and the Storehouses, Warehouses, Yards, Sheds, and Places, to be built and made for the Purposes aforesaid; be it further enacted by the Authority aforesaid, That, from and after the said twenty-fourth Day of *June* one thousand seven hundred and seventy-seven, there shall be paid to the said Master, Wardens, and Commonalty of the Society of Merchant Venturers of the said City of *Bristol* (over and above the Charge for piling Deals and other Goods usually piled, and other Labour now usually paid for in the said Port of *Bristol*), by the Proprietors of such Goods, for all such Timber (including Mahogany), Planks, and Boards, Deals, Staves, Tar, Pitch, Rosin, and Turpentine, and other the Commodities aforesaid, as the Owner, or Person having the Care thereof, shall chuse to have stored or placed in the said Storehouses, Warehouses, Sheds, Yards, or Places, to be built and made as aforesaid, the several Rates ascertained in the Schedule inserted at the End of this Act.

VIII. And be it further enacted by the Authority aforesaid, That the Mayor and Justices of the said City of *Bristol* and County of the same City, in their Court of Quarter Sessions to be held in and for the said City of *Bristol* and County of the same City, shall have full Power and Authority, from Time to Time (for good and sufficient Cause), to lower the said Rates hereby granted, or any of them, and from Time to Time, for such good Cause, to raise again the said Rates, or any of them, provided the said Rates do never exceed the Rates authorised to be taken by virtue of this Act; and the said Mayor and Justices, in their said Court of Quarter Session, shall have Power and Authority to make Rules, Orders, and Regulations, for the better Management of the said new-intended Quay in the said Parish of *Clifton*, and to settle equal and reasonable Rates for Labour, as well by Horses, Carts, and Carriages, as by Men, to be done thereat; and if any Person or Persons shall take or demand more than the Rates so to be settled, he, she, or they shall, for every such Offence, forfeit and pay the Sum of ten Shillings.

IX. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons whomsoever to leave on the said new-intended Quay any Tar, Pitch, Rosin, or Turpentine, for any longer Time than seven Days after the same shall be gauged or passed by the proper Officer or Officers of his Majesty's Customs; and in case any Person or Persons shall leave any of the said Articles upon the said Quay, contrary to the true Intent and Meaning hereof, that then, and as often as such Case shall happen, it shall and may be lawful to and for the said Master, Wardens, and Commonalty, of the Society aforesaid, by their Agents or Servants for the Time being, to house or store all such Tar, Pitch, Rosin, and Turpentine, in the Warehouses, Storehouses, or Places, to be provided for that Purpose as aforesaid; and the like Rates shall be paid as if the Owner thereof had directed the same to be stored or housed by the said Society.

X. And, in order to prevent Inconveniencies from Balks, Masts, Spars, Timber, Planks, or other Articles not usually piled, being suffered to remain on the said new-intended Quay, be it further enacted by the Authority aforesaid, That the said Society of Merchants shall set out and appoint from Time to Time one or more Piece or Pieces of the Ground adjoining the said new-intended Quay, within the Meads called *Rownham's Meads*, for laying and placing Balks, Masts, Spars, and Timber (including Mahogany), and also Planks of the Thickness of three Inches or upwards, and of the Length of twenty-five Feet or

upwards, and all other Articles not usually piled; and in case the said Society of Merchants shall omit or neglect so to do, then it shall and may be lawful for the Mayor and Justices of the Peace of the said City and County of the City of *Bristol*, in their Court of Quarter Sessions, on Complaint being made to them by any three or more Persons interested in such Goods, from Time to Time to set out and appoint one or more proper Piece or Pieces of the Ground adjoining the said new-intended Quay, within the Meads commonly called *Rownham's Meads*, and also from Time to Time to change or alter the same, and to set out and appoint any other Piece or Pieces of Ground within the said Meads commonly called *Rownham's Meads* (and not being at that Time built upon), for laying and placing Balks, Masts, Spars, and Timber (including Mahogany), and also Planks of the Thickness of three Inches, or upwards, and of the Length of twenty-five Feet, or upwards, and all other Articles usually piled; and in case any Balks, Masts, Spars, or Timber (including Mahogany), or any Plank of the Dimensions aforesaid, or other Articles usually piled, shall, after the Landing thereof, be left on the said new-intended Quay for any longer Time than shall be necessary for removing the same to such Place or Places as shall be set out and appointed for laying or placing the same as aforesaid, that then, and as often as it shall so happen, it shall and may be lawful for the said Society, by their Agents or Servants, to remove the same, at the Expence of the Proprietors thereof, to such Place or Places as shall be so set out and appointed for placing or laying the same as aforesaid.

XI. And whereas it will be of great Importance to the Trade and Commerce of the said City of *Bristol*, that the said new-intended Quay should be at all Times kept in good Repair, and that proper Sheds should be erected for housing or storing Tar, Pitch, Rosin, and Turpentine, with Reservoirs for preventing the Leakage of such Tar, and that proper Places should be provided for the laying and placing Timber (including Mahogany), Deals, and Staves, and all other the Commodities aforesaid which shall be landed at the said new-intended Quay; be it therefore further enacted, That in case the said Society of Merchants shall not erect and make a sufficient Number of proper Warehouses, Storehouses, and Sheds, for the storing all such Tar, Pitch, Rosin, and Turpentine, as shall be landed at the said new-intended Quay, or shall not provide a sufficient Quantity of Ground for Yards for laying up and placing all such Timber (including Mahogany), Deals, and Staves, and other the Commodities aforesaid, as shall be landed at the said Quay, and by reason thereof the Master of any Ship or Vessel coming into the said Port, or the Owner or Owners of any of the said Goods, shall be put to any extraordinary Expence, or shall sustain any Loss or Damage, that then, and in either of the said Cases, the said Society shall make good all such extraordinary Expences, and all such Loss or Damage as aforesaid; and the same shall and may be recovered by Action at Law to be brought in any of his Majesty's Courts of Record at *Westminster*.

XII. And whereas four undivided Sixth Parts or Shares of nine Acres, or thereabouts, of Ground lying in *Rownham's Meads* in the Parish of *Clifton* (of which Ground the said Society are seised of the other two undivided Sixth Parts or Shares), and also a certain other Piece or Parcel of Ground within the said Meads, and containing by Estimation four Acres, or thereabouts, will be necessary to be made use of for the Purposes aforesaid, and a certain other Parcel of Land, containing Half an Acre, or thereabouts, heretofore Parcel of the said Meads called *Rownham's Meads*, will be convenient to be purchased by the said Society; all which Premises were heretofore the Estate of *Shute Adams Esquire*, deceased: And whereas it may happen that some Persons, or Bodies Politic, Corporate, or Ecclesiastical, Feoffees in Trust, Femmes-covert, Infants, or others, who are seised or possessed of, intitled unto, or interested in, the said recited Ground, and Parts or Shares of Ground, may be willing to treat and agree to sell such Premises, but are incapable of selling, granting, or conveying the same; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Ecclesiastical, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whomsoever, and for all Femmes-covert, Infants, and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Ground and Premises, or Part or Share or Parts or Shares of Ground and Premises, to sell and convey all such Ground and Premises, or Part or Share, Parts or Shares, of Ground and Premises, or any Part thereof, and all their Estate, Right, Title, and Interest whatsoever, of, in, or to the same, to the said Master, Wardens, and Commonalty, of the Society of Merchant Venturers of the City of *Bristol*, their Successors and Assigns, or to such Person or Persons, and their Heirs for ever, as the said Master, Wardens, and Commonalty, of the Society of Merchant Venturers shall direct, in Trust for them the said Master, Wardens, and Commonalty, of the said Society of Merchant Venturers, and their Successors and Assigns, for the Purposes in this Act contained, or for which the same are now used; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all such Persons are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

XIII. And be it further enacted by the Authority aforesaid, That if any Body Politic, Corporate, or Ecclesiastical, Corporations Aggregate or Sole, Femmes-covert, Infants, or other Person or Persons whomsoever, in and by this Act impowered and qualified to contract for, sell, convey, and dispose of, the Premises herein before mentioned, shall refuse to treat and agree as aforesaid, or by reason of Absence or otherwise shall be prevented from treating and agreeing, or shall decline or refuse to sell, convey, and dispose of, the Premises whereof, wherein, or whereunto they respectively shall be so seised, possessed, interested, or intitled, as aforesaid, or their respective Rights, Titles, Claims, or Interests, in, to, or out of the same, unto the said Master, Wardens, and Commonalty, of the said Society of Merchant Venturers, their Successors and Assigns, or to such Person or Persons as they shall nominate or appoint for the Purposes aforesaid,

The Society of Merchants to provide sufficient Warehouses, &c. for storing Goods;

or, in Default thereof, to make good all Damages.

Bodies Politic, &c. possessed of certain Lands in Clifton, impowered to sell the same.

If any Body Politic, &c. refuse to treat.

or cannot produce a Title to the Premises,

Master, Wardens, &c. may apply to Commissioners herein after named.

A Jury to be summoned.

On Neglect, &c. of Commissioners, the Master, &c. may apply to the Quarter Sessions,

who shall cause the Matter in Dispute to be inquired into by a Jury.
Jurors may be challenged,

and Witnesses examined on Oath.

Verdict of the Jury, &c. to be final;

and to be entered amongst the Records, &c.

aforsaid, according to the Tenor, true Intent, and Meaning of this Act; or shall not produce or make out a clear Title to the Premises they are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Master, Wardens, and Commonalty, of the said Society of Merchant Venturers, their Successors and Assigns; it shall and may be lawful for the said Master, Wardens, and Commonalty, of the said Society, within three Years, to be computed from the twenty-fourth Day of June one thousand seven hundred and seventy-six, to apply to the Commissioners herein after named, or to the Survivors of them, and request such Commissioners to put in Execution the Powers and Authorities hereby given to them; and on such Application, they the said Commissioners, and the Survivors of them, or any three or more of them, shall be, and are hereby vested with such and the like Powers and Authorities for hearing and determining in the County of Gloucester the Matter in Dispute, as were given and granted to his Majesty's Justices of the Peace for the City of Bristol and County of the same City, in certain Cases respecting Houses, Buildings, Grounds, and Estates, situate within the City of Bristol, in and by an Act, passed in the sixth Year of his present Majesty's Reign, intituled, *An Act for widening several Streets, Lanes, Ways, and Passages, within the City of Bristol, and for opening several new Streets and Passages within the same, and for explaining, amending, and enlarging the Powers of the several Acts passed for paving, cleansing, lighting, watching, and regulating the Streets and other Places within the said City and Liberties thereof*; and such Commissioners shall issue a Precept or Precepts to the Sheriff of the County of Gloucester, who is hereby authorized, directed, and required, accordingly to impanel and return a competent Number of substantial and disinterested Persons, resident within the Hundreds next adjoining to the Hundred of Barton Regis in the County of Gloucester, and qualified to serve on Juries, and not less than twenty-four; and out of such Persons so to be impanelled, summoned, and returned, a Jury of twelve Persons shall be drawn, in such Manner as Juries for the Trial of Issues joined in his Majesty's Courts at Westminster, by an Act, made in the third Year of the Reign of his late Majesty King George the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned, and returned, as aforesaid, are hereby required to come and appear before the said Commissioners, at such Time and Place as in such Precept or Precepts shall be directed and appointed, and to attend there from Day to Day until discharged by the said Commissioners.

XIV. Provided always, That if, for or on any Account whatsoever, the said Commissioners shall not be able to put in Execution, or shall not put in Execution, within three Calendar Months after such Application shall be made to them, the Powers and Authorities hereby given to them as aforesaid, that then, and in such Case, it shall and may be lawful for the said Master, Wardens, and Commonalty of the said Society, to apply to the Justices of the Peace at any General Quarter Sessions of the Peace to be held for the said County of Gloucester, or to the Justices of the Peace at any General Quarter Sessions of the Peace, or any Adjournment thereof, to be held for the said City of Bristol and County of the same City, giving fourteen Days Notice of such Application to the other Party or Parties concerned in the Matter in Dispute, and request such Justices to proceed in the Manner herein after directed; and on such Application it shall and may be lawful to and for the Justices so assembled at such General Quarter Sessions, and to whom such Application shall be made, and they are hereby authorized and required to cause the same to be inquired into by and upon the Oaths of the Jury who shall attend at such Sessions; and all Persons concerned shall have their lawful Challenges (but not challenge the Array of the Panel) against any of the said Jurymen when they come to be sworn; and the said Justices, as aforesaid, are hereby respectively authorized and empowered, by Precept or Order, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought necessary to be examined as Witnesses before them, and to examine them, on their Oath or Oaths, touching the Premises; and the said Justices as aforesaid, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places or Matters in question in such Manner as they shall direct; and the said Justices as aforesaid shall have Power to adjourn such Meeting from Day to Day, and from Place to Place, as Occasion shall require; and such Jury, Witnesses, and Parties, shall attend until the Inquiry aforesaid shall be concluded; and the said Jury, upon their Oaths, shall inquire of the Value of such Ground, and Part or Share or Parts or Shares of Ground, which shall be necessary to be purchased, and of the respective Estate and Interest of every Person seized or possessed of or interested therein, or in any Part thereof, and such Jury shall assess the Sum or Sums to be paid, or other Satisfaction to be made, to every such Person or Persons for the Purchase of such their Estates and Interests which shall be necessary to be so purchased, and the said Justices as aforesaid shall and may give Judgment for such Sum and Sums of Money so to be assessed, or other Satisfaction to be made; which said Verdict or Verdicts, and the said Judgment, Decree, and Determination thereon, shall be binding and conclusive, to all Intents and Purposes whatsoever, against all and every Person and Persons, Bodies Politic and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of the same, either in Possession, Remainder, or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots, and Females covert, and Persons under any other legal Incapacity or Disability, and all *Cestuique* Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, as against all other Persons whomsoever; and the said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Justices as aforesaid and Juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written or engrossed, and kept and entered amongst the Records of the said Quarter Sessions; and the said Verdicts, Judgments, and Decrees, and all other such Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever, and the same, or a Copy thereof, attested under the Hand of the Clerk of the Peace of the County of Gloucester for the Time being, if the same shall be heard and determined in the County of Gloucester, or under the Hand of the Town-clerk of the City and County of the City of Bristol, if the same shall be heard and determined in the said City and County of the City of Bristol, shall be deemed and taken to be good and effectual Evidence and

Proof

Proof in any Court or Courts of Law or Equity whatsoever; and all Persons may have Recourse to the same gratis, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, the Sum of Sixpence, and so proportionably for any greater Number of Words.

XV. Provided always, and be it enacted by the Authority aforesaid, That if the Master, Wardens, and Commonalty, of the Society aforesaid, shall not, upon the Execution of the Conveyances by the necessary Party or Parties who shall appear to be interested in or intitled unto the Premises aforesaid, and upon Tender thereof to the Master of the said Society for the Time being, pay or cause to be paid all such Sum or Sums of Money, as shall be so assessed or awarded for the Purchase of the respective Estates and Interests in such Lands or Hereditaments as aforesaid, to such Person or Persons to whom the same shall be decreed to be paid, that then the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Society, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of Gloucester, or for the said City and County of the City of Bristol, together with all Costs and Charges attending the same, returning the Overplus (if any) after such Sum or Sums of Money, and all such Costs and Charges, shall be fully paid and satisfied.

XVI. Provided always, and be it enacted by the Authority aforesaid, That if such Jury shall adjudge the said Premises to be of greater Value than the said Society of Merchants shall offer for the same, that then the Costs and Charges of every Sort and Kind attending the obtaining such Assessment by a Jury shall be paid by the said Society of Merchants; and if such Jury shall not adjudge the said Premises to be of greater Value than the said Society of Merchants shall offer for the same, that then the said Costs and Charges shall be paid by the Party or Parties refusing to treat, or to accept the Price offered by the said Society.

XVII. And it is hereby further enacted and declared, That, upon such Payment by the said Society of Merchants of such Sum or Sums of Money so to be assessed and decreed as aforesaid, the Person or Persons to whom the same shall be so assessed and decreed shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances and Assurances in the Law to the said Master, Wardens, and Commonalty, of the Society aforesaid, their Successors and Assigns, or to such Person or Persons as they shall nominate or appoint in Trust for them, of such Ground and Premises, and every Part thereof, or of such Estate or Interest for which such Sum or Sums of Money shall be so assessed, and shall procure all necessary Parties to execute such Conveyances and Assurances, and shall do all Acts, Matters, and Things, requisite and necessary to make a clear, good, and perfect Title to such Premises to the said Master, Wardens, and Commonalty, of the Society aforesaid, their Successors and Assigns, or to such Person or Persons as they shall appoint as aforesaid; and such Conveyances and Assurances shall contain all such reasonable and usual Covenants as shall, on the Part of the said Master, Wardens, and Commonalty of the Society aforesaid, their Successors and Assigns, be required: And in case such Person or Persons, to whom any such Sum or Sums shall be so awarded, or due as aforesaid, shall not be able to evidence their Title to the Premises to the said Master, Wardens, and Commonalty, of the Society aforesaid, and to make, or procure to be made, good, valid, and legal Conveyances thereof in Manner before mentioned, or shall refuse so to do, being thereto required, and such Sum or Sums, so assessed and due as aforesaid, being produced and tendered to be paid to them on their making such Title, and executing and procuring to be executed such Conveyances or Assurances as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so assessed or due as aforesaid, cannot be found, or refuse to appear at their Dwelling-house or last known Place of Abode, or if, by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence or otherwise, it shall not appear to the said Justices in their Court of Quarter Sessions, or Adjournment thereof as aforesaid, what Person or Persons is or are intitled; or if any Mortgagee or Mortgagees shall refuse to take in his, her, or their Mortgage-money due on the Premises, after Notice given to him, her, or them, for that Purpose, as herein after is provided, then, and in all and every such Case and Cases, it shall and may be lawful to and for the said Justices, at their Sessions as aforesaid, to order the Sum or Sums so assessed as aforesaid, as the Value or Purchase-money for such Ground and Premises, or as shall be due on such Mortgage, to be paid into the Chamber of the said City of Bristol for the Use of the Parties interested in the said Premises, to be paid to them and every of them according to their respective Estates and Interests in the said Premises, as the said Justices in their said Sessions shall, by any Order to be made by them, direct; and the Chamberlain of the said City, who shall receive such Sum and Sums, is hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what Premises and for what Use the same is or are received, to such Person as shall pay such Sum or Sums into the said Chamber as aforesaid; which Receipt or Receipts shall be entered on Record, and registered in such Place, and in such Manner, as such Verdicts, Judgments, and other Proceedings as aforesaid, are herein before required to be kept; and immediately on such Payment and Registry, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively for whose Use the same was paid in, to, or out of such Ground and Premises, shall vest in the said Master, Wardens, and Commonalty, of the Society aforesaid, their Successors and Assigns, for the Purposes of this Act; and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes, as fully and effectually as if every Person having any Estate in the said Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowery of the Wife or Wives of such Person or Persons, and all Estates Tail, in Reversion, or Remainder, against the Issue and Issues of such Person or Persons, and every Person claiming under them, to all Intents and Purposes whatsoever.

In case Corporation omit to pay Sums awarded,

the same may be levied by Distress, &c.

Expences of a Jury how to be paid.

On Payment of Purchase-money by the Society, Premises to be conveyed, &c.

If Parties cannot evidence their Title to the Premises, &c.

or if Mortgagees refuse to take in their Mortgage-money, such Purchase-money, or Mortgage, to be paid into the Chamber of the City of Bristol. Chamberlain to give Receipts for Sums received, which shall be entered on Record, and the Premises vest in the Society.

XVIII. Pro-

Purchase-money
to be placed out
at Interest, &c.

XVIII. Provided always, That it shall and may be lawful to and for the said Justices in their said Sessions, or some Adjournment thereof, after such Payment into the said Chamber, and Registry as aforesaid, on the Application of any Person or Persons interested in such Ground or Premises, or any Part thereof, or the Monies so paid into the said Chamber for the Purchase thereof, or in respect of any Right or Interest therein, to place out and invest, or cause to be placed out and invested, such Sum or Sums of Money, or any Part thereof, in some of the public Funds, or on Government Securities, or in the said Chamber of *Bristol*, at Interest, in the Name of any Person or Persons authorised and appointed by the said Justices for that Purpose, in Trust to transfer and assign the same to such Person or Persons to whom the Money so paid shall belong, on their executing proper Conveyances as aforesaid; and in the mean time in Trust to pay the Interest and Dividends arising therefrom to such Person or Persons who shall be from Time to Time intitled to receive the same.

Mesne Profits
recoverable, &c.

XIX. Provided also, and it is hereby enacted, That all and every Person and Persons who would be intitled to recover the mesne Profits of the Premises against the Person or Persons in Possession, in case the same had not been so conveyed as aforesaid, shall be intitled to recover the Sum or Sums to arise from such Interest and Dividends as aforesaid, by Action of Debt against the Person or Persons who shall receive the same; and the said Justices, in their said Sessions, or at some Adjournment thereof, are hereby empowered and authorised to make such Order as aforesaid on the Chamberlain of the said City, for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to their being invested in the Funds or Government Securities, or in the said Chamber of *Bristol*; and the said Master, Wardens, and Commonalty, of the Society of Merchant Venturers of the City of *Bristol*, their Successors and Assigns, shall be quieted in the Possession of the Ground and Premises for which such Monies shall be so paid as aforesaid, and shall not be answerable or accountable, in any Court of Law or Equity, for the Money to be so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning of this Act.

Mortgagees, on
Payment or
Tender of Mort-
gage-money, to
convey the Pre-
mises, &c.

XX. And be it further enacted by the Authority aforesaid, That every Mortgagee or Mortgagees of any Land which shall be purchased in pursuance of this Act, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, on having six Months Notice in Writing given to him, her, or them, from the said Master, Wardens, and Commonalty, of the Society aforesaid, or any Person authorised by them, that they will pay off and discharge the Principal and Interest Money which, at the Expiration of the said six Months, shall be due on such Mortgage, shall, at the End of the said six Months, after every such Notice of Payment, or Tender, of the Principal and Interest Money which shall be then due, convey and assign his, her, and their respective Estates and Interests, in and to the said mortgaged Premises, to such Person or Persons as they, the said Master, Wardens, and Commonalty, of the Society aforesaid, shall nominate or appoint, in Trust for the said Master, Wardens, and Commonalty, of the Society aforesaid, their Successors and Assigns, to the Uses and Purposes of this Act; and if any such Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said six Months after any such Notice given as aforesaid, shall cease and determine.

Money payable
to Bodies Cor-
porate, &c. to
be invested in
Purchase of
other Estates.

XXI. And it is hereby further enacted, That the principal Money to arise from the Sale of any Lands or Hereditaments which shall be purchased, for the Purposes intended by this Act, of any Body Corporate or Ecclesiastical, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme-covert or Infant, shall be paid to such Persons as they shall respectively nominate to receive the same in Trust, with all convenient Speed to be re-invested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments; which Messuages, Lands, Tenements, and Hereditaments, shall be conveyed and settled to and upon and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands and Hereditaments which shall be purchased from them respectively by the said Master, Wardens, and Commonalty, of the Society aforesaid, were respectively settled, limited, or assured, at the Time of such the purchasing of the same, or so many thereof as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect.

Contracts or
Agreements al-
ready made, not
invalidated by
this Act.

XXII. Provided always, and it is hereby enacted and declared, That nothing herein contained shall invalidate or make void, or tend to invalidate or make void, any Contract or Agreement already made between any Person or Persons whomsoever touching or concerning the Sale of any Land, or Parts or Shares of Land, in or heretofore Part of *Rownham's Meads* aforesaid, for the Purposes of this Act, or which may tend to the facilitating the Operation thereof, or which will be convenient to be purchased by the said Society; but that all and every such Contract or Agreement shall stand in and have the same Force as if this Act had not been made; and the Party or Parties who are or shall be bound thereby, or are or shall be willing to carry the same into Execution, are and shall be hereby enabled so to do.

Commissioners
appointed.

XXIII. And be it further enacted by the Authority aforesaid, That the Persons herein after mentioned shall be Commissioners for the Purposes in this Act mentioned; (that is to say) *Morgan Smith* Esquire, *Thomas Tyndall* Esquire, *Robert Jackson* Esquire, *William Miles* Esquire, *Samuel Farr* Doctor in Physic, *John Merlot* Esquire, *John Freeman* the younger Esquire, *Henry Durbin* Esquire, *John Durbin* the younger Esquire, *Mr. Henry Farr Yeatman*, the Reverend Doctor *John Casberd*, and the Reverend Doctor *Stanhuse*.

Part of the Pa-
rish of Clifton
exempted from
the judicial Ju-
risdiction of
Gloucestershire,
and made Part
of Bristol.

XXIV. And whereas the Business which will be carried on at the said Floating-dock and new-intended Quay, and at the several Docks, Yards, and other Places, near or adjoining thereto, and herein after mentioned and described, in the said Parish of *Clifton*, will be chiefly transacted by or between Persons engaged in the Trade of the said Port of *Bristol*; be it therefore enacted and declared by the Authority aforesaid, That, from and after the twenty-ninth Day of *September*, one thousand seven hundred and seventy-

seventy-six, all that Part of the Parish of *Clifton* aforesaid, which lies between the Bound-stone of the City of *Bristol* on the East Part of a little Brook anciently called *Woodwell lake*, but now a Sluice carried under Ground near a Place where a Limekiln stood, and where is now a Dock commonly called *Limekiln-dock*, and a certain Ferry commonly called *Rownham Passage*, and between the River *Avon* and the Road which leads from the said Bound-stone to the said Ferry called *Rownham Passage*, shall be, to all Intents and Purposes whatsoever, except as herein after mentioned, wholly exempted and separated from the County of *Gloucester*, and from all Jurisdiction, Power, and Authority, of Sheriffs, Escheators, Coroners, Justices, and other the Officers and Ministers of the King's most Excellent Majesty, his Heirs and Successors whatsoever, of the said County of *Gloucester* for ever; and may and shall be taken and accepted as Member, Part, and Parcel, of the aforesaid City of *Bristol* and County of the same City, and within the Jurisdiction, Power, and Authority, of the Mayor, Sheriffs, Coroners, Escheators, Justices, and other the Officers and Ministers of the King's most Excellent Majesty, his Heirs and Successors, of the said City and County of the same for ever, as fully and amply as if the same had been Part and Parcel of the said County and City before and at the Time of granting the several Charters under which the Mayor, Burgesses, and Commonalty of the City of *Bristol* do now hold and exercise Criminal and Civil Jurisdiction within the said City, and the Suburbs, Liberties, and Precincts thereof, or as if the several Powers and Authorities thereby given were herein repeated and applied to the said District hereby united to and made a Part of the said City; and that all and every the Powers and Authorities, given and granted to the Mayor, Aldermen, and Common Council, for the City and County of the City of *Bristol*, in and by an Act of Parliament, passed in the first Year of the Reign of the late King *William* and Queen *Mary*, intituled, *An Act for certain Courts of Conscience in the Cities of Bristol and Gloucester, and the Liberties thereof*, shall be and are hereby extended to that Part of the said Parish of *Clifton* which lies between the Limits herein before described, and so as aforesaid united to and made a Part of the City of *Bristol* and County of the same City, and exempted and separated from the County of *Gloucester*.

XXV. Provided always, That nothing herein contained shall extend, or be construed to extend, to the making any Alteration within the District so exempted and separated from the County of *Gloucester*, and added to the City of *Bristol*, touching any Tax, Rate, Levy, or Assessment whatsoever, now or hereafter to be raised in the said Parish of *Clifton*, or to the charging the said District with any Tax, Rate, Levy, or Assessment, usually raised within the said City of *Bristol* and County of the same City, or touching any Matter relative to any ecclesiastical, parochial, or manerial Jurisdiction or Right, or to the taking away the Right of any Person or Persons whomsoever, having, or hereafter to have, any Freehold within the District aforesaid, to vote for the Election of any Knight of the Shire for the said County of *Gloucester*, or of any Coroner or other Officer whatsoever, but that all the same Rights, Matters, and Things shall be remain, and continue, as if this Act had not been made.

XXVI. And be it further enacted by the Authority aforesaid, That the said Mayor and Justices of the said City of *Bristol*, in their Court of Quarter Sessions assembled, shall have Power to order and settle the Rates to be paid and payable for Portorage, and also for the Hallage or Lighterage of all Kinds of Goods and Merchandise which shall be carried or conveyed to and from the said City of *Bristol* to and from the said several Docks and Places herein before particularly described in the said Parish of *Clifton*, and also to and from any Place or Places within the said City of *Bristol*; and if any Person or Persons shall take or demand more than the Rates so to be settled, he, she, or they shall, for every such Offence, forfeit and pay the Sum of ten Shillings.

XXVII. And whereas it would be a great Benefit to the Trade and Commerce of the said Port of *Bristol*, if the Lighters, Boats, and other Vessels carrying Goods for Hire within the said Port, were put under proper Regulations; be it therefore further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June* one thousand seven hundred and seventy-six, all and every Person and Persons who shall keep or use, for carrying of Goods for Hire, any Lighter, Boat, or other Vessel, within the said Port of *Bristol*, shall cause the same to be registered by the Quay-warden for the Time being of the said Port of *Bristol*, in a Register to be by him kept for that Purpose; in which Register the said Quay-warden shall enter, in numerical Progression, the Name of the Owner or Owners of every such Lighter, Boat, or other Vessel, together with the Tonnage thereof; to which Register all Persons, who may be interested in any Question touching the same, shall have Recourse at all reasonable Times without Fee or Reward: And all and every Person and Persons who shall keep or use, for the carrying of Goods for Hire, any Lighter, Boat, or other Vessel, within the said Port of *Bristol*, shall produce such Lighter, Boat, or other Vessel, to such Quay-warden, at or as near as may be to a certain Slip commonly called *The Gibb-slip*, within the said Port, and shall at the same Time cause the Tonnage of the said Lighter, Boat, or other Vessel, when properly filled or loaded, to be ascertained to the Satisfaction of the said Quay-warden, and so in like Manner when such Lighter, Boat, or other Vessel, shall be three-fourths filled or loaded, and so in like Manner when such Lighter, Boat, or other Vessel, shall be half filled or loaded; and shall also cause his Name, and the Number in the Register, and the Tonnage of such Lighter, Boat, or other Vessel, in the different Degrees before-mentioned, to be marked in a legible Manner at the Head and Stern of such Lighter, Boat, or other Vessel, in large plain Letters and Figures, painted or made with White-lead and Oil upon a black Ground, to the Satisfaction of the said Quay-warden, and shall at all Times afterwards preserve and keep clean and legible the same Name, Number, and Tonnage, so marked as aforesaid; and the Owner of every such Lighter, Boat, or other Vessel, shall be paid for the Use of the same according to the Tonnage so to be ascertained as aforesaid; and the Owner of every such Lighter, Boat, or other Vessel, shall pay to the said Quay-warden, as a Fee for his Trouble in seeing such Lighter, Boat, or other Vessel, so weighed and marked, and for registering the same, the Sum of Five Shillings, and no more; and such Quay-warden shall attend within the usual Custom-house Hours of Business to see every such Lighter, Boat, or other Vessel, weighed, marked, and registered as aforesaid, upon twenty-

This Act not to make any Alteration in relation to Taxes, &c. in *Clifton*.

Mayor and Justices may settle the Rates of Portorage, &c.

All Vessels kept for carrying Goods for Hire, in the Port of *Bristol*, to be registered.

Other Regulations relating to such Vessels.

four Hours Notice given to him for that Purpose, upon Pain of forfeiting, to the Owner of such Lighter, Boat, or other Vessel, the Sum of fifty Shillings for every Time he shall neglect to do his Duty according to the Intent of this Act, unless such Quay-warden shall be prevented from attending upon account of Sicknels, or some other Cause which shall be deemed reasonable by the Mayor, or one of his Majesty's Justices of the Peace for the said City and County of the City of *Bristol*, upon Complaint to be made by such Owner of such Lighter, Boat, or other Vessel.

Quay-warden to examine all such Vessels, &c. yearly;

and if he shall discover any Fraud, to present the same, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That the said Quay-warden for the Time being shall yearly, and every Year, on the twenty-fourth Day of *June*, or within seven Days then next following, within the usual Custom-house Hours of Business, review and examine all the said Lighters, Boats, and other Vessels, at or near the said *Gibb-slip*, and see that the Name, Number, and Tonnage marked thereon are plain and legible, and whether any Frauds have been committed by Alterations made therein, or otherwise; and such Quay-warden shall affix, or cause to be affixed, on some conspicuous Place near the said *Gibb-slip*, three Days Notice of the Time or Times when he will attend to make such Review: And in case he shall find that any Fraud hath been committed, or Alteration made in the Name, Number, or Tonnage, marked on such Lighter, Boat, or other Vessel, or any Cause of Complaint, he shall make a Presentment thereof to the Trustees for the Time being in the said Port of *Bristol* appointed in and by an Act of Parliament, passed in the twentieth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the Relief and Support of maimed and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned, in the Merchants Service*; in order that the Offenders may be dealt with according to Law; and in case the Owner of any such Lighter, Boat, or other Vessel as aforesaid, shall neglect or refuse to produce his Lighter, Boat, or other Vessel, to be reviewed and examined as aforesaid, Notice of the Time of such Review being given as aforesaid, and shall afterwards use such Lighter, Boat, or other Vessel, before it shall have been reviewed and examined by such Quay-warden, every such Owner shall, for every such Offence, forfeit and pay the Sum of ten Shillings for every Tide he shall so make use of such Lighter, Boat, or other Vessel; and the said Quay-warden shall from Time to Time be paid for his Trouble, in taking and making such Review and Examination, by the Owner or Owners of such Lighter, Boat, or other Vessel, the Sum of Sixpence for every such Lighter, Boat, or other Vessel, so reviewed and examined.

Penalty on Quay-warden for Neglect of Duty, &c.

XXIX. And be it further enacted by the Authority aforesaid, That if the Quay-warden for the Time being shall neglect or refuse to attend to see the Tonnage of such Lighter, Boat, or other Vessel ascertained, and such Lighter, Boat, or other Vessel marked, as aforesaid, he shall forfeit and pay, to the Owner of such Lighter, Boat, or other Vessel, for every such Offence, the Sum of ten Shillings for every Tide which shall elapse before he shall attend and perform his Duty as aforesaid; and in case the Name, Number, or Tonnage, which shall be so as aforesaid marked on any Lighter, Boat, or other Vessel, shall be wilfully obliterated or altered, or the Tonnage of such Lighter, Boat, or other Vessel, wilfully lessened; that then, and in any of the Cases aforesaid, the Owner or Owners of such Lighter, Boat, or other Vessel, shall forfeit and pay the Sum of ten Pounds for every such Offence.

Offences against this Act to be determined by Justices, &c. Penalties and Forfeitures how to be recovered and applied.

XXX. And be it hereby enacted by the Authority aforesaid, That all Offences against this Act, not hereby otherwise directed to be heard and determined, shall and may be heard and determined by his Majesty's Justices of the Peace for the said City and County of the City of *Bristol* in their Court of Quarter-sessions, and that their Determination shall be final; and that all Penalties and Forfeitures for Offences against this Act, and the Expences of recovering the same, shall and may be recovered by Distress and Sale of the Offender's Goods, to be made by virtue of a Warrant under the Hand and Seal of any one of his Majesty's Justices of the Peace for the said City and County of the City of *Bristol*, rendering to the Party the Overplus, if any; and all such Penalties and Forfeitures, when recovered, (if not otherwise directed to be applied and disposed of by this Act) shall be paid to the Treasurer for the Time being to the Trustees for the said Port of *Bristol* appointed to put in Execution the said Act, passed in the twentieth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the Relief and Support of maimed and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned, in the Merchants Service*; and shall be applied to and for the Purposes of the said Act within the said Port of *Bristol*, at the Discretion of the said Trustees.

Regulations for unloading, &c. of Vessels in the Floating-dock.

XXXI. And whereas the said Society do now receive, from the Owners of Ships and Vessels lying within the said Floating-dock, the several Rates herein after mentioned; that is to say, For every Ship or Vessel of the Burthen of three hundred Tons or upwards, nine Shillings a Week; for every Ship or Vessel of the Burthen of two hundred Tons or upwards, and under three hundred Tons, seven Shillings a Week; for every Ship or Vessel of the Burthen of one hundred and fifty Tons or upwards, and under two hundred Tons, six Shillings a Week; and for every Ship or Vessel under the Burthen of one hundred and fifty Tons, five Shillings a Week: And whereas it is proper that empty Ships and Vessels in the said Floating-dock should give way to Ships and Vessels coming into the said Dock to unload, and that Ships and Vessels coming into the said Dock to unload should, upon Payment of the Rates before mentioned, have the preference of continuing therein before Ships or Vessels which do not come to unload at the said new-intended Quay; be it therefore enacted by the Authority aforesaid, That all empty Ships or Vessels, which shall at any Time be in such Floating-dock, shall make room and give way to a Vessel coming into the said Dock to unlade a Cargo, or any Part thereof; and that all such Ships and Vessels, as have not brought in a Cargo or Part of a Cargo to be unladen at the said Quay, shall make room and give way to any Vessel which shall have brought in a Cargo or Part of a Cargo to be unladen there, if the Owner, Master, or Commander, of such last mentioned Ship or Vessel shall be desirous of continuing her therein; and if at any Time there shall not be sufficient Room for all such Vessels, as shall have brought in a Cargo or Part of a Cargo to be unladen, to continue in the said Floating-dock, such empty Vessel as shall have been there longest shall leave the said Dock, in order to make Room for such

such other Vessel as shall, according to the Rule hereby established, be intitled to the Preference of continuing in the said Dock: And if any Owner, Master, Commander, or Person having the Charge or Care of any such Ship or Vessel lying in the said Floating-dock, shall act contrary to the Rules and Orders hereby established, he shall, for every such Offence, forfeit the Sum of fifty Pounds.

XXXII. Provided always, That no Ship or Vessel, which by this Act shall be obliged to be unladen at the said Quay, shall pay any Fee or Reward for opening the Gates in order to pass in or out of the said Dock.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced, or any Complaint made against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced, and Complaint made, within three Months next after the Fact committed, and not afterwards; and every such Action or Suit shall be laid and brought in the City and County of the City of *Bristol*, 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 of, and by the Authority of this Act: And if the same shall appear to be so done, or that such Action or Suit shall be brought or commenced in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his 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 and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

XXXIV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, 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 specially pleading the same.

The SCHEDULE referred to by this Act.

- FOR housing Tar, a Farthing *per Barrel per Week*, and so in Proportion:
- For housing Pitch, Half the Price for housing Tar:
- For turning Pitch and Tar in, a Halfpenny *per Barrel*, and the same Rate for turning out:
- For housing Rosin or Turpentine, Two-pence *per Ton gross per Week*, and so in Proportion:
- For turning in Rosin or Turpentine, Four-pence *per Ton gross*, and the like Rate for turning out, and so in Proportion:
- For every Hundred square Feet of Ground (and so in Proportion for a less Quantity) which shall be occupied by any Kind of Plank not exceeding two Inches and a Half thick, Boards, or Staves, or any other Articles which shall be piled, Nine-pence *per Week*, and so in Proportion; and that over and above the Expence of piling, which is to be paid for by the Proprietor of such Goods:
- All Kind of *American Deals* of irregular Lengths to pay Three-fourths of the above Rate:
- For every hundred square Feet of Ground (and so in Proportion for a less Quantity) which shall be occupied by Barks, Masts, Spars, and all Kinds of Timber, or by Plank of the Thickness of three Inches or upwards, and of the Length of twenty-five Feet or upwards, Sixpence *per Week*, and so in Proportion; and that over and above the Expence of placing away, which is to be paid for by the Proprietors of such Goods.

C A P. XXXIV.

An Act for granting to his Majesty several Duties on Coaches, and other Carriages therein mentioned; and several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon Cards, Dice, and Newspapers; and for raising the Sum of Two Millions by Annuities, and a Lottery to be attended with Annuities.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, being desirous to raise the necessary Supplies, which we have granted to your Majesty in this Session of Parliament, in the most safe, easy, and expeditious Manner we are able, have voluntarily resolved to give and grant unto your Majesty the several and respective Rates and Duties herein after expressed; and to that End and Purpose 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 an additional Rate or Duty of Twenty Shillings *per Annum* be raised, levied, collected, and paid, for and upon every Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, and Caravan, or by what Name soever such Carriages now are, or hereafter may be called or known, kept by or for any Person for his or her own Use, or to be let out to Hire (other than and except such Coaches and other Carriages as now are, or hereafter may be, licensed by the Commissioners for the Duties arising by Hackney Coaches); which said yearly additional Duty of twenty Shillings shall from Time to Time be paid down by the Person or Persons keeping the same, in like Manner, and at the same Time, and be raised, levied, collected, and paid, by the same Means and Methods, and under the like Rules, Regulations, Directions, and Penalties, as the annual Duty of four Pounds, given and granted by an Act of Parliament, made in the twentieth Year of the

Preamble.

An additional Duty of 20s. per Ann. laid on all Coaches, Berlins, &c. except Hackney Coaches.

Reign of his late Majesty King *George* the Second, intituled, *An Act for granting to his Majesty several Rates and Duties upon Coaches, and other Carriages therein mentioned; and for raising the Sum of one million, by way of Lottery, to be charged upon the said Rates and Duties; is directed to be raised, levied, collected, and paid.*

After July 5, 1776, Stage-coaches to pay a Duty of 5l. per Ann. each.

II. And be it further enacted by the Authority aforesaid, That, from and after the fifth Day of *July* one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and paid, unto and for the Use of his Majesty, his Heirs and Successors, for and upon every Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, and Caravan, or by what Name soever such Carriages now are, or hereafter may be, called or known, that shall be kept by or for any Person or Persons as Public Stage-coaches, employed in carrying Passengers for Hire to and from different Places within this Kingdom, (other than and except such Coaches and other Carriages as now are, or hereafter may be, licensed by the Commissioners for the Duties arising by Hackney Coaches) the yearly Sum of five Pounds for every such Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, and Caravan, or by what Name soever such Carriages now are, or hereafter may be, called or known, so to be kept and employed as aforesaid; which said Duty shall be paid by the Person or Persons who keep the same.

Notice to be given, and Payment made, agreeable to Act 20 Geo. II.

III. And be it further enacted by the Authority aforesaid, That the Person or Persons keeping any such Carriage or Carriages, so to be employed as Stage-coaches as aforesaid, shall, from Time to Time, give like Notices, and make Entry and Payment in like Manner, and under the like Rules, Regulations, Means, and Methods, Directions and Penalties, as Persons keeping Coaches and other Carriages for their own Use, or to let out to Hire, are, by the above recited Act, directed to do; any Law, Statute, Custom, or Usage, to the contrary notwithstanding.

A Clause in said Act, exempting Persons from paying for more than 5 Carriages, repealed.

IV. And whereas, by the said recited Act, it was provided, That no Person should be obliged to pay the yearly Sum of four Pounds for more than five such Carriages, on which the Duty of four Pounds a Year was thereby charged, to be kept by or for him or her, for his or for her Use only; be it further enacted and declared by the Authority aforesaid, That, from and after the passing of this Act, the said Proviso, so far as relates to the exempting such Carriages, being more than five in Number, be, and the same is hereby repealed and made null and void.

After July 5, 1776, an additional Stamp-duty of 1s. laid on all Indentures, Bonds, &c. heretofore liable to a Shilling Stamp.

V. And be it further enacted by the Authority aforesaid, That, from and after the fifth Day of *July* one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors, the Rate and Duty following; (that is to say) For every Skin, or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed, written, or printed, in *Great Britain*, any Indenture, Lease, Bond, or other Deed; for which a Stamp-duty of one Shilling is payable, by virtue of an Act, made in the thirtieth Year of the Reign of his late Majesty King *George* the Second, over and above all other Rates and Duties by the said Act, or by any other Act of Parliament imposed, an additional Stamp-duty of one Shilling.

After June 3, 1776, an additional Duty of 6d. laid on every Pack of playing Cards, and 2s. 6d. on every Pair of Dice, made for Sale.

VI. And be it further enacted by the Authority aforesaid, That, from and after the first Day of *June*, one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors, the Rates and Duties following; (that is to say) For every Pack of playing Cards, made fit for Sale or Use, in *Great Britain*, the Sum of Sixpence, over and above the Duties now payable thereon; and for and upon every Pair of Dice, made fit for Sale or Use, in *Great Britain*, the Sum of two Shillings and Sixpence, over and above the Duties now payable thereon; such respective Duties to be paid by the Makers of such Cards and Dice respectively.

After July 5, 1776, an additional Duty of one Halfpenny laid on every Sheet or Half Sheet of Newspaper.

VII. And be it further enacted by the Authority aforesaid, That, from and after the fifth Day of *July* one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors, the Rate and Duty following; (that is to say) For and upon every Newspaper, or Paper containing public News, Intelligence, or Occurrences, printed in *Great Britain*, to be dispersed and made public, whether the same be contained in Half a Sheet or any less Piece of Paper, or in any Paper larger than Half a Sheet, and not exceeding one whole Sheet; upon every Sheet, and Half Sheet thereof, over and above all other Rates and Duties by any Act of Parliament imposed, an additional Duty of one Halfpenny.

The said Duties to be under the Management of the Commissioners of Stamp-duties.

VIII. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting, and paying, all the said additional and new Duties herein before granted, the same shall be under the Government, Care, and Management, of the Commissioners for the Time being appointed to manage the Duties charged on stamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and empowered to employ the necessary Officers under them for that Purpose, and to cause such new Stamps to be provided, to denote the said several additional Duties, as shall be requisite in that Behalf; and to do all other Things necessary to be done for putting this Act in Execution, with relation to the said several Rates and Duties herein before granted, in the like, and in as full and ample a Manner as they, or the major Part of them, are authorized to put in Execution any former Law, concerning stamped Vellum, Parchment, or Paper.

Commissioners may provide a new Stamp, to denote all the several Duties.

IX. Provided always, and be it further enacted by the Authority aforesaid, That, to prevent the Multiplication of Stamps upon such Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which several Duties are, by several Acts of Parliament, imposed, it shall and may be lawful for the said Commissioners, instead of the distinct Stamps directed to be provided to denote the several Duties on the Vellum, Parchment, or Paper, charged therewith, to cause one new Stamp to be provided, to denote the said several Duties, and the Duty granted by this Act, on every Piece of Vellum or Parchment, or Sheet or Piece of Paper, charged with the said several Duties.

X. And

X. And be it further enacted by the Authority aforesaid, That all Vellum, Parchment, and Paper, liable to the Duty of one Shilling hereby charged, shall, from and after the fifth Day of July, one thousand seven hundred and seventy-six, before the same shall be ingrossed, written, or printed upon, be brought to the Head Office for stamping or marking Vellum, Parchment, and Paper; and the said Commissioners, by themselves, or by their Officers employed under them, shall forthwith upon Demand to them made by any Person or Persons, from Time to Time, stamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment or Paper, as shall be so brought to them for that Purpose, the Persons so bringing the same, paying to the Receiver-general of the Stamp-duties for the Time being, or his Deputy or Clerk, the several Duties payable for the same by virtue of this Act; which Stamp or Mark, to be put thereupon in pursuance of this Act, shall be a sufficient Discharge for the Duty hereby payable for the Vellum, Parchment, or Paper, so stamped or marked.

After July 5. 1776, all Vellum, &c. liable to the new Duty, to be carried to the Stamp-office, &c. before it is printed or wrote on.

XI. And be it further enacted by the Authority aforesaid, That the several Duties herein before granted shall be paid from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on stamped Vellum, Parchment, and Paper, who shall keep a separate and distinct Account of the several Rates and Duties, and pay the same (the necessary Charges of raising, paying, and accounting for the same, being deducted) into the Receipt of the *Exchequer*, for the Purpose herein after expressed, at such Time, and in such Manner, as any former Duties on stamped Vellum, Parchment, or Paper, are directed to be paid.

To whom the Duties are to be paid.

XII. And be it further enacted by the Authority aforesaid, That the said Commissioners for the Time being shall take care that the several Parts of the Kingdom of Great Britain shall, from Time to Time, be sufficiently furnished with Vellum, Parchment, and Paper, stamped and marked as by this Act is directed; to the End that the Subjects of his Majesty, his Heirs and Successors, may have it in their Election either to buy the same of the Officers and Persons to be employed by the said Commissioners, at the usual and most common Rates above the said Duties, or to bring their own Vellum, Parchment, or Paper, to be stamped and marked as aforesaid.

Commissioners to furnish the several Parts of the Kingdom with stamped Vellum, Parchment, &c. :

XIII. And be it further enacted by the Authority aforesaid, That the Price of such stamped Vellum, Parchment, or Paper, shall be yearly set, and such Price marked, and such Allowance made, on present Payment of the said Duties for any Quantity of the said Vellum, Parchment, or Paper, so to be sold, in such Manner as by any former Law relating to stamped Vellum, Parchment, or Paper is directed.

The Price whereof to be settled yearly, &c.

XIV. And be it further enacted by the Authority aforesaid, That such Stamps as the said Commissioners are hereby directed and authorized to provide and use, shall and may be altered and renewed, in such Manner as any other Stamps on Vellum, Parchment, or Paper, are by any former Law, relating to stamped Vellum, Parchment, or Paper, directed to be altered and renewed; and that all Persons who shall have in their Custody or Possession, any Vellum, Parchment, or Paper, marked with the Stamp or Mark which shall be so altered or renewed, or on which, being already stamped with a Stamp denoting any former Duty, a new Stamp is hereby directed to be impressed, shall have the like Remedy and Allowance as by any former Law relating to stamped Vellum, Parchment, or Paper, is in like Cases directed.

Stamps may be altered and renewed, &c.

XV. And be it further enacted by the Authority aforesaid, That if any Person shall counterfeit or forge; or procure to be counterfeited and forged, any Seal, Stamp, or Mark, to resemble any Seal, Stamp, or Mark, directed or allowed to be used by this or any other Act of Parliament, for the Purpose of denoting the Duties by this or any other Act of Parliament granted; or shall counterfeit or resemble the Impression of the same, with an Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; or shall utter, vend, or sell, any Vellum, Parchment, or Paper, or any Cards, Dice, or Newspapers, liable to any Stamp-duty, with such counterfeit Stamp or Mark, knowing the same to be counterfeit; or shall privately and fraudulently use any Seal, Stamp, or Mark, directed or allowed to be used by this or any other Act of Parliament relating to the Stamp-duties, with Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; every Person so offending, and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death, as in Cases of Felony, without Benefit of Clergy.

Any Person counterfeiting a Stamp, &c.

XVI. And be it further enacted by the Authority aforesaid, That all Powers, Provisions, Articles, Clauses, Distribution of Penalties and Forfeitures, and all other Matters and Things, prescribed or appointed by any former Act or Acts of Parliament relating to the Duties on Vellum, Parchment, and Paper, on which any Indenture, Lease, Bond, or other Deed, shall be ingrossed, written, or printed; or to the Rates and Duties on Cards, Dice, and Newspapers, and not hereby altered, shall be of full Force and Effect with relation to the additional Duties hereby imposed, and shall be applied and put in Execution for the raising, levying, collecting, and securing, the said additional and new Rates and Duties hereby imposed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purposes, as if the same had severally and respectively been hereby enacted, with relation to the said additional and new Rates and Duties hereby imposed.

or selling Parchment, Cards, &c. marked therewith, shall suffer Death as a Felon.

Powers, Penalties, and Forfeitures, of former Acts, relating to the Duties on Vellum, Parchment; &c. applicable to this Act.

XVII. And whereas a fraudulent Practice has prevailed of selling Cards that have been already used in Play, calling the same Second-hand Cards, to the great Injury of the Revenue, for Remedy whereof, be it further enacted by the Authority aforesaid, That, if any Person shall, from and after the passing of this Act, sell or dispose of any Cards (by Way of Second-hand Cards) in Packs or Parcels, after the Wrapper or Cover, in which the same have been inclosed and tied, shall have been broke open, unless he or she shall, before such Sale, mark the Back or plain Side of every painted or pictured Card, in such Manner as to render the same unfit to be used in Play; every Person so offending shall, for every Pack of Cards so sold, forfeit the Sum of five Pounds; to be recovered and distributed in the Manner directed by an Act, made in the twenty-ninth Year of his late Majesty King George the Second, intituled, *An Act for granting to his Majesty an additional Duty on Cards and Dice.*

Any Person selling Cards to be played with, after the Cover has been broke open,

shall forfeit, for each Pack, 5 l.

XVIII. And

Produce of the Duties to be carried to the Sinking-Fund.

Preamble; reciting a Resolution of the House of Commons.

All Persons who have made Deposits, pursuant to the aforesaid Resolution, are required to pay the Remainder of their Subscriptions at certain Times specified.

Contributors entitled to an Annuity of 3 per Cent. per Ann. from April 5, 1776.

600,000 l. to be raised by a Lottery, to carry an Interest of 3 per Cent.

Subscribers to be allowed Interest for all Monies paid in Advance.

XVIII. And be it further enacted by the Authority aforesaid, That all the Monies arising by the said several and respective Rates and Duties, (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the public Revenues, and shall, for the Purpose aforesaid, be carried into, and made Part of, the Fund commonly called *The Sinking Fund*.

XIX. And whereas the Commons of *Great Britain*, in Parliament assembled, have resolved that, towards raising the Supply granted to his Majesty in this Session of Parliament, the Sum of two millions shall be raised in Manner following; (that is to say) the Sum of one million four hundred thousand Pounds by Annuities, after the Rate of three Pounds *per Centum per Annum*, with an additional Capital in respect of the same, in Manner herein after mentioned; and the Sum of six hundred thousand Pounds by a Lottery, attended with like Annuities, after the Rate of three Pounds *per Centum per Annum*; and that every Contributor towards raising the said Sum of two millions, shall, in respect of every one hundred Pounds subscribed, upon Payment of seventy Pounds to the Cashier or Cashiers of the Governor and Company of the Bank of *England*, at the Times, and in the Manner, herein after mentioned, have, and be intitled to, the Principal Sum of seventy-seven Pounds and ten Shillings, in three Pounds *per Centum* Annuities, redeemable by Parliament, (making together, in the Whole, one million five hundred and fifty thousand Pounds) and, on Payment of the remaining Sum of thirty Pounds on every one hundred Pounds so subscribed, to three Tickets in a Lottery, to consist of sixty thousand Tickets, of the Value of ten Pounds each, amounting to six hundred thousand Pounds; and that the Whole of the said Sum of six hundred thousand Pounds be distributed into Prizes, such Prizes to be converted into like three Pounds *per Centum* Annuities, as aforesaid: And whereas, pursuant to, and upon the several Terms and Conditions expressed in, the said Resolution, several Persons have, in Books opened at the Bank of *England* for that Purpose, subscribed together the whole Sum of two millions, and made Deposits of fifteen Pounds *per Centum*, on the respective Sums by them subscribed, with the Cashiers of the Governor and Company of the Bank of *England*; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Persons, Bodies Politic or Corporate, and their Executors, Administrators, Successors, and Assigns, who have made such Deposits with the Cashier or Cashiers of the said Governor and Company of the Bank of *England*, (which Cashier or Cashiers is and are hereby appointed the Receiver and Receivers of such Contributions, without any other Warrant to be had on that Behalf) to advance and pay, and they are hereby required to advance and pay, unto the said Cashier or Cashiers, of the said Governor and Company of the Bank of *England*, the several Remainders of the Sums by them respectively subscribed towards the said Sum of two millions, at or before the respective Days and Times, and in the Proportions herein after limited and appointed in that Behalf; (that is to say) in respect of the said Sum of one million four hundred thousand Pounds, the further Sum of fifteen Pounds *per Centum*, on or before the thirtieth Day of *May*, one thousand seven hundred and seventy-six; the further Sum of twenty Pounds *per Centum*, on or before the twenty-eighth Day of *June* then next following; the further Sum of fifteen Pounds *per Centum*, on or before the thirty-first Day of *July* then next following; and the remaining Sum of twenty Pounds *per Centum*, on or before the twenty-fourth Day of *October* then next following: And in respect of the Sum of six hundred thousand Pounds to be raised by Lottery, the further Sum of twenty-five Pounds *per Centum*, on or before the fourteenth Day of *June* one thousand seven hundred and seventy-six; the further Sum of thirty Pounds *per Centum*, other Part thereof, on or before the tenth Day of *August* then next following; and the remaining Sum of thirty Pounds *per Centum*, on or before the third Day of *October* then next following.

XX. And be it further enacted by the Authority aforesaid, That every Contributor, his, her, or their Executors, Administrators, Successors, and Assigns, shall have, and be intitled to, an Annuity, after the Rate of three Pounds *per Centum per Annum*, upon his, her, or their Part or Share in the Sum of one million five hundred and fifty thousand Pounds, being the Amount of the Capital of Seventy-seven Pounds and ten Shillings to be allowed to each Subscriber of seventy Pounds, as aforesaid, for one Quarter of a Year, from the fifth Day of *April*, one thousand seven hundred and seventy-six, to the fifth Day of *July* following, to be paid and payable at the Bank of *England*, as soon after the said fifth Day of *July*, one thousand seven hundred and seventy-six, as such Contributors shall have completed his, her, or their Payments, towards raising the said Sum of one million four hundred thousand Pounds; and from thenceforth shall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *January*, and the fifth Day of *July* in every Year.

XXI. And be it further enacted by the Authority aforesaid, That the said Sum of six hundred thousand Pounds to be raised by a Lottery, and distributed into Prizes as aforesaid, shall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, redeemable by Parliament, to commence and be computed from the fifth Day of *January* one thousand seven hundred and seventy-seven, and shall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January*, in every Year.

XXII. And be it further enacted by the Authority aforesaid, That all such Subscribers, their Executors, Administrators, Successors, and Assigns, paying in the Whole of the Sums by them respectively to be paid, on account of their Contributions towards raising the said Sum of one million four hundred thousand Pounds, at any Time after the fifth Day of *July* one thousand seven hundred and seventy-six, and before the seventh Day of *September* following; or on account of his, her, or their respective Share in the said Lottery, for six hundred thousand Pounds, on or before the eighth Day of *August* next, shall be intitled to an Allowance of so much Money as the Interest of such Sum, so paid in Advance for completing his, her, or their Contribution respectively, shall amount unto, after the Rate of three Pounds *per Centum per Annum*, from

from the Day of completing the same, to the twenty-fourth Day of *October* one thousand seven hundred and seventy-six, in respect of the Sum paid on account of the above-mentioned Sum of one million four hundred thousand Pounds; and from the Day of the actual Payment to the third Day of *October* one thousand seven hundred and seventy-six, in regard to the Sum of six hundred thousand Pounds to be contributed for a Lottery as aforesaid; such Allowance to be paid by the said Cashier or Cashiers, out of the Monies to be contributed in pursuance of this Act, as soon as such respective Contributors, their Executors, Administrators, Successors, or Assigns, shall have completed such Payment: And that all the Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, paying in the Whole of the Sum or Sums to be by him, her, or them, paid and advanced, towards raising the said Sum of six hundred thousand Pounds by a Lottery as aforesaid, shall have Lottery Tickets delivered to him, her, or them, to the Amount of the Sum or Sums by them respectively subscribed and paid for the Purchase thereof, at the Rate of ten Pounds for each Ticket, as soon as such Tickets can be conveniently made out.

XXIII. And be it further enacted by the Authority aforesaid, That the Cashier or Cashiers of the Governor and Company of the Bank of *England*, who shall have received or shall receive any Part of the said Contributions, towards raising the said Sum of one million four hundred thousand Pounds by Annuities, and six hundred thousand Pounds by a Lottery, shall give a Receipt or Receipts in Writing, to every such Contributor, for all such Sum and Sums of Money so received by him or them, and that such Receipts shall be assignable by Indorsement thereupon made, at any Time before the fifth Day of *December* one thousand seven hundred and seventy-six, and no longer: Provided always, that such Cashier or Cashiers shall give Security, to the good Liking of any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the public Use, all the Monies which he or they hath or have already received, and shall hereafter receive from Time to Time, of and for the said Sum of two millions, and for accounting duly for the same, and for Performance of the Trust hereby in him and them reposed; and shall, from Time to Time, pay all such Monies, as soon as he or they shall receive the same, or any Part thereof, or within five Days afterwards at the farthest, into, and shall account for the same in the Exchequer, according to the due Course thereof, (deducting thereout such Sums as shall have been paid by him or them, in pursuance of this Act) for which Sums so paid, Allowance shall be made in his or their Accounts.

XXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, to issue and apply, from Time to Time, all such Sums of Money, as shall be so paid into the Receipt of his Majesty's Exchequer, by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of *Great Britain*, in this present Session in Parliament.

XXV. And be it further enacted by the Authority aforesaid, That in the Office of the Accomptant-general of the Governor and Company of the Bank of *England*, for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may, from Time to Time, and at all seasonable Times, resort to, and inspect, without any Fee or Charge; and that the said Accomptant-general shall, on or before the fifth Day of *July* one thousand seven hundred and seventy-six, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

XXVI. And be it further enacted by the Authority aforesaid, That such Contributors only paying their Contribution-monies, at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators, Successors, and Assigns, shall have, receive, and enjoy, and be entitled, by virtue of this Act, to have, receive, and enjoy, their proportionable Share of the said Annuities of three Pounds *per Centum per Annum*, by this Act granted, and shall have good and sure Interests and Estates therein; subject nevertheless to Redemption, as is herein after mentioned; and that all the Annuities by this Act granted shall be free from all Taxes, Charges, and Impositions whatsoever: Provided always, That in case any such Contributors, who have already deposited with, or shall hereafter pay to, the said Cashier or Cashiers, any Sum or Sums of Money, at the Times and in the Manner before mentioned, in Part of the Sum or Sums to be by them respectively contributed or paid, towards the said Sum of two millions, 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 to be contributed or paid, at the Times and in the Manner before mentioned; then, and in every such Case, so much of the respective Sum or Sums 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 Annuities, after the Rate of three Pounds *per Centum per Annum*, in respect thereof, shall be extinguished; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

XXVII. And be it further enacted by the Authority aforesaid, That, as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall have completed their Payments of the Whole Sum payable by them respectively towards the said Sum of one million four hundred thousand Pounds, the principal Sum or Sums so by them subscribed and paid respectively, together with the additional Capital of seven Pounds and ten Shillings for every seventy Pounds by them advanced and paid, shall forthwith be, in the Books of the Bank of *England*, placed to the Credit of such respective Contributors, their Executors, Administrators, Successors, and Assigns, completing such Payments respectively; and the Persons to whose Credit such principal Sums shall be so placed, their respective Executors, Administrators, Successors, 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, Body or Bodies Politic or Corporate, whatsoever, in the Books of the Bank of *England*, and such Sums shall carry an Annuity after the Rate of three Pounds *per Centum per Annum*,

Subscribers to the Lottery, on paying in the Whole of the Subscriptions, shall receive Tickets to the Amount thereof, Cashier of the Bank to give Receipts to Contributors for Money received, which shall be assignable, &c. Cashier to give Security, to the good Liking of Commissioners of the Treasury; and to pay all Monies received into the Exchequer.

Commissioners of the Treasury impowered to apply the Money paid in by the Cashier. A Book to be provided in the Accomptant-general's Office, in which Contributors Names shall be fairly entered, &c.

Such Contributors only, who pay their Contribution-monies according to this Act, entitled to have their Share of Annuities, &c. Money paid in Part, and not completed, shall be forfeited to the Public.

As soon as Contributors have completed their Payments, the Sums subscribed, &c. to be, in the Books of the Bank, placed to their Credit.

Annum, and shall 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 herein-after mentioned.

Annuities granted by this Act charged upon the Sinking Fund.

XXVIII. And be it further enacted by the Authority aforesaid, That all the Annuities by this Act granted and made payable, in respect of the said Sum of two millions, together with the additional Capital thereto, shall, from the respective Commencements thereof, be charged and chargeable upon, and are hereby charged upon, and made payable out of the Monies which shall from Time to Time arise, and be in the Receipt of his Majesty's Exchequer, or for the Surplusses, Excesses, Overplus-monies, and other Revenues, composing the Fund, commonly called *The Sinking Fund*, after paying, or reserving sufficient to pay, all such Sums of Money as have been directed, by any former Acts of Parliament, to be paid out of the same.

Managers and Directors of the Lottery to be appointed by the Treasury.

XXIX. And, for establishing a proper Method for drawing the said Lottery, be it further enacted by the Authority aforesaid, That such Persons as the 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 nominate or appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order, do, and perform, all such other Matters and Things, as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together, from Time to Time, at some publick Office or Place, for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns; and, upon the innermost of the said three Columns, there shall be printed sixty thousand Tickets, to be numbered one, two, three, and so onwards, in an arithmetical Progression, where the common Excess is to be one, until they rise to and for the Number of sixty thousand; and upon the middle Column, in every of the said Books, shall be printed sixty thousand Tickets, of the same Breadth and Form, and numbered in like Manner; and, in the extreme Column of the said Books, there shall be printed a third Rank or Series of Tickets, of the same Number with those of the other two Columns; which Tickets shall severally be of an oblong Figure, and in the said Books shall be joined with oblique Lines, Flourishes, or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and convenient; and that every Ticket in the third or extreme Column of the said Books shall have written or printed thereupon, (besides the Number of such Ticket) Words or Figures to this Effect:

Method of Lottery Books.

L O T T E R Y, Anno One thousand seven hundred and seventy-six.

Ticket.

THE Bearer of this Ticket will be intitled to such beneficial Chance as shall belong thereto, in the Lottery to be drawn in pursuance of an Act made in the sixteenth Year of his Majesty's Reign.

Managers to examine the Books with the Tickets, and deliver them to the Cashiers of the Bank, taking a Receipt for the same.

XXX. And it is hereby further enacted, That the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them so present, shall carefully examine all the said Books, with the Tickets therein, and take Care that the same be contrived, numbered, and made, according to the true Intent and Meaning of this Act; and shall deliver, or cause to be delivered, the same Books, and every or any of them, as they shall be examined, to the Cashier or Cashiers of the Governor and Company of the Bank of *England*, taking from such Cashier or Cashiers an Acknowledgment in Writing, under his or their Hand or Hands, importing his or their Receipt of such Book or Books, and so many Tickets therein, as shall be delivered to him or them respectively, that so the said Cashier or Cashiers may be charged to answer ten Pounds for every one of the Tickets in the extreme Columns which shall be delivered to him or them, or for so many of them as he or they shall not deliver back to the said Managers and Directors; and all and every such Cashier or Cashiers respectively is and are hereby directed and required, upon his or their Receipt of every or any entire Sum of ten Pounds, in full Payment for a Ticket, from any Person or Persons respectively contributing or adventuring, as aforesaid, from Time to Time, to cut out of the said Book or Books, so to be put into his or their Custody, through the said oblique Lines, Flourishes, or Devices, indented, in the said extreme Columns, such Tickets as shall be necessary to be delivered to the several Persons intitled thereto, as aforesaid; which Tickets the said Cashier or Cashiers shall sign with his or their own Name or Names, and he or they shall permit the respective Person or Persons so intitled, if it be desired, to write his, her, or their Name or Mark on the corresponding Tickets in the same Book or Books; and at the same Time the said Cashier or Cashiers shall deliver to such Person or Persons the Ticket or Tickets so cut off, which he, she, or they, are to keep and use for the better ascertaining and securing the Interest which he, she, or they, his, her, or their Executors, Administrators, Successors, or Assigns, shall or may have in the said Fund.

Cashiers to return the Books, with the undispensed Tickets,

with an Account of Monies paid in.

Undispensed Tickets to be delivered in to the Exchequer.

XXXI. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers, on or before the sixteenth Day of *October*, one thousand seven hundred and seventy-six, shall redeliver to the said Managers and Directors, at their said Office or Place of Meeting, all the said Books, and therein all the Tickets which the said Cashier or Cashiers shall not have cut out of the same, and delivered to the Persons intitled thereto, as aforesaid; and shall then and there also deliver to the said Managers and Directors a true and just Account in Writing, under his or their Hand or Hands, of all Sums of Money accrued or come to the Hands of such Cashier or Cashiers by or for the Tickets delivered, or to be delivered out, pursuant to this Act, and how the same, and how much thereof, shall have been actually paid, by such Cashier or Cashiers, into the Receipt of the Exchequer for the Purposes herein mentioned; and that the said Managers and Directors, or the major Part of them which shall be present at a Meeting as aforesaid, shall forthwith cause all the Tickets of the said outermost Columns, which shall not have been delivered to the Contributors and Adventurers, as aforesaid, (if any such be) to be delivered into the Receipt of his Majesty's Exchequer, there to be retained and kept as Cash, to be issued, sold, and disposed of,

of, for raising Money for the Purposes in this Act mentioned, as any three or more of the Commissioners of his Majesty's Treasury, or the high Treasurer for the Time being, shall judge reasonable and fitting.

XXXII. And be it further enacted, That the said Managers and Directors, or the major Part of them which shall be present at a Meeting as aforesaid, shall cause all the Tickets of the middle Columns, in the Books made out with three Columns, as aforesaid, which shall be delivered back to them by or from the said Cashier or Cashiers, as aforesaid, to be carefully rolled up, and made fast with Thread or Silk; and the said Managers or Directors, or the major Part of them as aforesaid, shall, in their Presence, and in the Presence of such Contributors or Adventurers as will be there, cause all the said Tickets which are to be so rolled up and made fast, as aforesaid, to be cut off indentwise through the said oblique Lines, Flourishes, or Devices, into a Box to be prepared for that Purpose, and to be marked with the Letter (A); which is presently to be put up into another strong Box, and to be locked up with seven different Locks and Keys, to be kept by as many of the said Managers and Directors, and sealed with their Seals, or the Seals of some of them, until the said Tickets are to be drawn, as is herein-after mentioned; and that the Tickets in the first or innermost Columns of the said Books shall remain still in the Books, for discovering any Mistake or Fraud (if any such should happen to be committed) contrary to the true Meaning of this Act.

XXXIII. And be it further enacted by the Authority aforesaid, That the said Managers and Directors, or the major Part of them which shall be present at any Meeting as aforesaid, shall also prepare, or cause to be prepared, other Books, in which every Leaf shall be divided or distinguished into two Columns; and upon the innermost of those two Columns there shall be printed sixty thousand Tickets, and upon the outermost of the said two Columns there shall be printed sixty thousand Tickets; all which shall be of equal Length and Breadth, as near as may be; which two Columns in the said Books shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off indentwise; and that nineteen thousand nine hundred and ninety-two Tickets, Part of those to be contained in the outermost Columns of the Books last mentioned, shall be and be called *The Fortunate Tickets*, to which Benefits shall belong, as is herein-after mentioned: And the said Managers and Directors, or the major Part of them, or such of them as shall be present at a Meeting as aforesaid, shall cause the said Fortunate Tickets to be written upon, or otherwise expressed, as well in Figures as in Words at Length, in Manner following; (that is to say) Upon two of them severally, twenty thousand Pounds Principal Money; upon every one of three of them severally, ten thousand Pounds Principal Money; upon every one of five of them severally, five thousand Pounds Principal Money; upon every one of twelve of them severally, two thousand Pounds Principal Money; upon every one of twenty of them severally, one thousand Pounds Principal Money; upon every one of fifty of them severally, five hundred Pounds Principal Money; upon every one of two hundred of them severally, one hundred Pounds Principal Money; upon every one of six hundred of them severally, fifty Pounds Principal Money; and upon every one of nineteen thousand and one hundred of them severally, twenty Pounds Principal Money: Which principal Sums so to be written, or otherwise expressed, upon the said Fortunate Tickets, together with one thousand Pounds Principal Money to be allowed to the Owner of the first-drawn Ticket upon each of the first three Days of the Drawing of the said Lottery, and one thousand Pounds Principal Money to the Owner of the last-drawn Ticket, over and above the Benefits which may happen to belong to the four last-mentioned Tickets, or any of them, will amount, in the Whole, to the Principal Sum of six hundred thousand Pounds, to be converted into Annuities by virtue of this Act in respect to the said Lottery: And the said Managers and Directors, or the major Part of them who shall be present at a Meeting as aforesaid, shall cause all the said Tickets contained in the outermost Columns of the said last-mentioned Books to be, in the Presence of the said Managers and Directors, or the major Part of them which shall be present at a Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, to be carefully rolled up and fastened with Thread or Silk, and carefully cut out indentwise, through the said Flourish or Device, into another Box to be prepared for this Purpose, and to be marked with the Letter (B); which Box shall be put into another strong Box, and locked up with seven different Locks and Keys, to be kept by as many of the said Managers, and sealed up with their Seals; or the Seals of some of them, until these Tickets shall also be drawn in the Manner and Form herein-after mentioned; and that the whole Business of rolling up, and cutting off, and putting into the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers and Directors, or such of them as aforesaid, before the last six Days immediately preceding the Day by this Act appointed for the Drawing the said Lottery: And, to the End every Person concerned may be well assured that the Counterpart of the same Number with his or her Ticket is put into the Box marked with the Letter (A), from whence the same may be drawn, and that other Matters are done as hereby directed, some public Notification in Print shall be given of the precise Time or Times of putting the said Tickets into the said Boxes, to the End that such Contributors or Adventurers as shall be minded to see the same done, may be present at the doing thereof.

XXXIV. And be it further enacted by the Authority aforesaid, That, on or before the thirteenth Day of *November*, one thousand seven hundred and seventy-six, the said Managers and Directors shall cause the said several Boxes, with all the Tickets therein, to be brought into the Guildhall of the City of *London*, so that the same may be there, and placed on a Table provided for that Purpose, by Nine of the Clock in the Forenoon of the same Day; and shall then and there severally attend this Service, and cause the two Boxes containing the said Tickets to be severally taken out of the other two Boxes in which they shall have been locked up; and the Tickets or Lots in the respective innermost Boxes being, in the Presence of the said Managers and Directors, or such of them as shall be then present, and of such Contributors or Adventurers as will be there for the Satisfaction of themselves, well shaken and mingled in each

Tickets of the middle Columns to be rolled up, and fastened with Thread or Silk; and cut off indentwise into a Box marked with the Letter (A). Box to be locked up, and sealed.

Books to be prepared with two Columns, on each of which 60,000 Tickets are to be printed.

The Number and Value of the Fortunate Tickets.

1000l. to each first drawn Ticket of the first 3 Days. and 1000l. to the last-drawn.

Tickets of the outermost Columns of the last-mentioned Book to be rolled up and tied.

Public Notice to be given of putting the Tickets into the Boxes.

Lottery to begin drawing on Nov. 13, 1776.

Method to be observed in Drawing, etc.

Box distinctly, some one indifferent and fit Person, to be appointed and directed by the said Managers, or the major Part of them, or such of them as shall be then present, shall take out and draw one Ticket from the Box where the said numbered Tickets shall be as aforesaid put, and one other indifferent and fit Person, to be appointed and directed in like Manner, shall take out a Ticket or Lot from the Box where the said nineteen thousand nine hundred and ninety-two Fortunate, and forty thousand and eight Blank Tickets, shall be promiscuously put as aforesaid; and immediately both the Tickets so drawn shall be opened, and the Number as well of the Fortunate as the Blank Ticket shall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots shall appear to be a Blank, then the numbered Ticket so drawn, with the said Blank at the same Time drawn, shall both be put upon one File; and if the Ticket so drawn or taken from the Box containing the Fortunate and Blank Lots shall appear to be one of the Fortunate Tickets, then the principal Sum written upon such Fortunate Ticket, whatsoever it be, shall be entered by a Clerk, which the said Managers, or the major Part of them, as aforesaid, shall employ and oversee for this Purpose, into a Book to be kept for entering the Numbers coming up with the said Fortunate Tickets, and the principal Sums whereunto they shall be intitled respectively, and two of the said Managers shall set their Names as Witnesses to such Entries; and the said Fortunate and numbered Tickets so drawn together, shall be put upon another File; and so the said drawing of the Tickets shall continue, by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the same, and by entering the Fortunate Lots in such Method as is before mentioned, until the whole Number of nineteen thousand nine hundred and ninety-two Fortunate Tickets, and one more for the last-drawn as aforesaid, shall be completely drawn: And as the same cannot be performed in one Day's Time, the said Managers and Directors shall cause the Boxes to be locked up and sealed in Manner as aforesaid, and adjourn till the next Day, and so from Day to Day, and every Day, (except Sunday, Christmas-day, Thanksgiving and Fast Days,) and then open the same, and proceed as above, until the said whole Number of nineteen thousand nine hundred and ninety-two Fortunate Tickets, and one more, shall be completely drawn, as aforesaid; and afterwards the said numbered Tickets so drawn, with the Fortunate Tickets drawn against the same, shall be and remain in a strong Box locked up as aforesaid, and under the Custody of the said Managers, until they shall take them out to examine, adjust, and settle the Property thereof.

Number of the Fortunate Tickets, and the Sums, to be printed. Disputes to be adjusted by the Managers. Penalty on forging Tickets, etc.

XXXV. And, to the End the Fortunate may know, whether absent or present, to what Degree they 'have been so,' be it enacted, That the said Managers shall, as soon as conveniently may be after the said Drawing is over, cause to be printed and published the Number of the Tickets drawn against each Fortunate Ticket, and the principal Sum written on the same; and if any Contention or Dispute shall arise in the adjusting the Property of the said Fortunate Tickets, the major Part of the said Managers agreeing therein shall determine to whom it doth or ought to belong: And if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or willingly act or assist in the forging or counterfeiting any Ticket or Tickets, Certificate or Certificates, Order or Orders, made forth by virtue of this present Act, or any former Act, made for establishing any Lottery or Lotteries, or alter any Number, Figure, or Word therein, or utter, vend, barter, or dispose of, or offer to dispose of, any such false, altered, forged, or counterfeit Ticket or Tickets, Certificate or Certificates, Order or Orders, or shall bring any such forged or counterfeit Ticket, Certificate, or Order, or any such Ticket, Certificate, or Order, the Number whereof, or any Figure or Word therein, shall have been altered (knowing the same to be such), to the said Managers, or any of them, or to the Cashier or Cashiers or Accomptant-general of the Bank of England for the Time being, or to any other Person or Persons whatsoever, with a fraudulent Intention; or shall willingly aid, abet, assist, hire, or command, any Person or Persons to commit any such Offence or Offences, as aforesaid; then, and in every such Case, all and every such Person or Persons, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony without Benefit of Clergy: And the said Managers and Directors, or any two or more of them, are hereby authorized, required, and impowered, to cause any Person or Persons bringing or uttering such forged or counterfeit Ticket or Tickets, Certificate or Certificates, as aforesaid, or aiding, abetting, assisting, hiring, or commanding, any Person or Persons therein, to be apprehended, and to commit him, her, or them, to his Majesty's Gaol of Newgate, or to the common Gaol of the County or Place where such Person or Persons shall be so apprehended, to be proceeded against for the said Felony according to Law.

Felony.

Offenders (not in Prison) discovering Persons guilty, to receive a Pardon, and 50 l. Reward.

XXXVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons who shall commit any such Offence or Offences as aforesaid, or be aiding, abetting, assisting, hiring, or commanding any Person or Persons therein, shall afterwards (being out of Prison) discover any one or more Person or Persons who already have, or hereafter shall commit, or be aiding, abetting, or concerned, in any such Offence or Offences as aforesaid, so as such Person or Persons so discovered be lawfully convicted of the same, such Discoverer shall have, and is hereby intitled to, his Majesty's most gracious Pardon for such his or her Offences; and, moreover, shall be intitled to a Reward of fifty Pounds, lawful Money of Great Britain, for every such Offender so convicted; to be paid out of the Monies arising by virtue of this Act, or any other the Aids or Supplies granted in this Session of Parliament, immediately upon such Conviction as aforesaid.

Proviso.

XXXVII. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Attainder for any the Offences aforesaid shall make or work any Corruption of Blood, loss of Dower, or Disinheritance of Heirs.

Managers to be sworn.

XXXVIII. Provided always, and it is hereby enacted by the Authority aforesaid, That every Person that shall be appointed as aforesaid to be a Manager and Director for putting this Act in Execution, before his acting in such Commission (except the administering the Oath immediately herein-after mentioned), shall take the Oath following; that is to say,

' I 4. B.

I *A. B.* as a Manager and Director of the Lottery to be drawn in pursuance of an Act of Parliament, made in the sixteenth Year of His Majesty's Reign, do swear, That I will faithfully execute the Trust reposed in me; and that I will not use any indirect Art or Means, or permit or direct any Person to use any indirect Art or Means, to obtain a Prize or Fortunate Lot therein, for myself, or any other Person whatsoever; and that I will do the utmost of my Endeavour to prevent any undue or sinister Practice to be done by any Person whatsoever; and that I will, to the best of my Judgment, declare to whom any Prize, Lot, or Ticket, of Right does belong, according to the true Intent and Meaning of the said Act.

The Oath.

Which said Oath shall and may be administered by any two or more of the other Managers and Directors.

XXXIX. Provided always, That it shall and may be lawful to and for the said Cashier or Cashiers, having given Security as aforesaid, at any Time or Times before such Cashier or Cashiers shall have received any Book or Books for the said Lottery from the said Managers, comprehending the said sixty thousand Tickets in three Columns as aforesaid, to receive from the said Contributors or Adventurers, or their Executors, Administrators, Successors, or Assigns, the Monies to be by them respectively paid on account of the said Lottery, at one entire Payment, or in such Proportions and Manner as aforesaid, before such Cashier or Cashiers shall have received such Book or Books; and the said Cashier or Cashiers shall give a Note or Receipt, under his or their Hand or Hands, for the Sum or Sums so paid; and shall be obliged thereby, and by this Act, to give the Bearer of every such Note or Receipt a Ticket or Tickets, of the extreme Column of the three Columns Book or Books aforesaid, for every ten Pounds so contributed, paid, or answered, as soon as he or they shall be enabled thereunto, by Delivery of any such Book or Books to him or them from the said Managers as aforesaid; any Thing herein contained to the contrary notwithstanding.

Cashier may receive the Sums subscribed before receiving the Lottery Book;

giving a Note for the same; which shall entitle the Bearer to a Ticket for every 10 l. so paid.

XL. Provided also, That in case any such Contributor or Adventurer as aforesaid, who shall have advanced and paid down to such Cashier or Cashiers, a Proportion of his, her, or their Consideration-money towards the said Lottery, his, her, or their Executors, Administrators, Successors, or Assigns, do not advance and pay unto such Cashier or Cashiers the remaining Part of his, her, or their Consideration-money, so to be paid in full for such Ticket or Tickets, on or before the Times for paying thereof as aforesaid; that then, and in every such Case, every such Contributor or Adventurer shall forfeit and lose to his Majesty, for the Use of the Public, the Proportion of his, her, or their Purchase-money, which he, she, or they, shall have so paid down as aforesaid towards the Lottery; and in such Case, no Ticket or Tickets shall be delivered out by the said Cashier or Cashiers, to such Contributor or Contributors, Adventurer or Adventurers, making such Default, but the Ticket and Tickets which should have been delivered to them respectively, had they paid the full Money for the same, shall be returned and delivered to the said Managers and Directors by the said Cashier or Cashiers, together with the other Tickets (if any) in the outermost Column of the Book and Books first herein-mentioned and directed to be prepared, which shall not have been disposed of as aforesaid; and such Ticket and Tickets, upon and for which Defaults of Payments shall have been made as aforesaid, shall be delivered into the Receipt of his Majesty's Exchequer, with other the said undisposed Tickets (if any), there to be retained and kept as Cash, and to be issued, sold, and disposed of for the Purposes and in the Manner herein-before directed and appointed with respect to the said undisposed Tickets; and the said Contributor and Contributors, Adventurer and Adventurers, making such Default, shall not have or receive, or be intitled to have or receive, any Benefit or Advantage for or in respect of the Money which he, she, or they, shall have paid for or towards the Purchase of such Ticket or Tickets; any Thing herein contained to the contrary notwithstanding.

Contributors not making good their Payments within the Times limited,

forfeit their Deposits with respect to the Lottery;

and the Tickets for such Sums to be delivered into the Exchequer.

XLI. Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies to arise by the Contributions to the said Lottery, or out of any other the Aids or Supplies granted in this Session of Parliament, for the Service of the Year one thousand seven hundred and seventy-six, it shall and may be lawful to and for any three or more of the Commissioners of the Treasury, or the high Treasurer for the Time being, to reward the said Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Persons that shall and may be any-ways employed in this Affair, for their Labour and Pains, and to discharge such incident Expences as shall necessarily attend the Execution of this Act, in such Manner as any three or more of the Commissioners of the Treasury, or the high Treasurer for the Time being, shall, from Time to Time, think fit and reasonable in that Behalf; any Thing in this Act contained to the contrary notwithstanding.

XLII. And be it further enacted by the Authority aforesaid, That no Person or Persons shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery, or any Share or Shares of any Ticket or Tickets in the said Lottery, for a Day, or Part of a Day, or for a longer Time less than the whole Time of drawing the Lottery then to come; or shall receive any Money whatsoever in Consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in the said Lottery shall prove Fortunate; or shall lay any Wager relating to the drawing of any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate; and all and every Person and Persons who shall offend in any of the said Matters, shall forfeit and pay Treble the Sum and Sums of Money which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparance, shall be allowed; and the Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid

Limitation of the Sale of Chances, &c.

Penalty.

paid to the Person or Persons who shall sue for the same; and every such Sale, Wager, or Contract, and every Agreement relating thereto, shall be, and is hereby declared null and void.

Office keepers, &c. selling Shares in Tickets of which they are not possessed, forfeit 500 l. and suffer 3 Months Imprisonment.

XLIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall keep any Office or Offices, or shall print or publish any Scheme or Proposal for receiving any Sum or Sums of Money in Consideration of any Interest to be granted for the same in any Ticket or Tickets in the said Lottery, whereof such Person or Persons shall not then, and at the actual Time of drawing such Ticket or Tickets, be possessed, or in Consideration of any Sum or Sums of Money to be repaid, in case any Ticket, or Number of Tickets, in the said Lottery, which shall not then, and at the actual Time of drawing the said Ticket or Tickets, be in the Possession of such Person or Persons, shall prove Fortunate or Unfortunate; all and every such Person and Persons shall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Wager of Law, or more than one Impar lance, shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same, and also shall suffer three Months Imprisonment without Bail or Mainprife.

Offences committed in Ireland against Acts for preventing unlawful Lotteries, made punishable. Penalties may be sued for in Dublin.

XLIV. And be it further enacted by the Authority aforesaid, That if any Offence against this Act, or any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in *Ireland*, the Offender shall incur the like Penalty and Punishment, to be inflicted in like Manner as if the Offence was committed in this Kingdom; and that such Penalties as by this Act, or any of the said Acts, are directed to be recovered in any of his Majesty's Courts of Record at *Westminster*, shall, in case of Offences committed against this Act, or any of the said Acts, in *Ireland*, be recovered in any of his Majesty's Courts of Record in *Dublin*.

Tickets to be exchanged for Certificates.

XLV. And, to the End that all and every the Payments upon the Fortunate Tickets may be more easily ascertained, settled, and adjusted, for the Persons who shall be and become intitled thereunto, be it further enacted by the Authority aforesaid, That, as soon as conveniently may be, after the Drawing of the said Lottery shall be completed and ended, all and every the said Tickets to be given out as aforesaid, shall be exchanged for Certificates, to be signed by such of the said Managers as shall be appointed for that Purpose.

Managers to give Notice of the Times for such Exchange.

XLVI. And be it further enacted, That such of the said Managers as any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall appoint, to take in the said Fortunate Tickets, and deliver out the said Certificates for and in lieu thereof, shall, as soon as may be, give Notice by Advertisement, to be printed and published in Manner as they shall think fit, of the Days and Times for taking in the said Fortunate Tickets, and delivering out of the said Certificates for and in lieu of the same; and every Certificate shall be numbered in Course, according to their bringing their Tickets to the Managers so to be appointed for exchanging the same; to which Purpose such Manager shall enter, or cause to be entered, in a Book or Books to be by them kept for that Purpose, the Name of every Person who shall bring any such Fortunate Ticket or Tickets to be exchanged for such Certificate or Certificates, and the Number or Numbers of the Fortunate Ticket or Tickets which shall be so brought, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord, when the same was so brought; which Book and Books shall lie open in the Office to be appointed for taking in the said Tickets to be exchanged for such Certificates, for all Persons concerned to peruse; all which Certificates shall be signed by the Managers so to be appointed, or the major Part of them, and be directed to the Accountant-general of the Bank of *England* for the Time being.

Certificates to be numbered.

Books to be kept for entering the Names of Persons bringing Tickets to be exchanged, &c.

Certificates to be signed, &c.

Accountant-general of the Bank to give Credit to the Persons named in Certificates for Sums therein mentioned; which may be assigned; and shall carry 3 per Cent. Interest, &c.

XLVII. And be it further enacted by the Authority aforesaid, That the said Accountant-general of the Bank of *England* for the Time being, to whom the said Certificates are to be directed as aforesaid, shall, upon receiving and taking in the said Certificates, or any of them, give Credit to the Persons named therein, in a Book or Books to be by him provided and kept, for the Principal Sums contained in every such Certificate; and the Persons to whose Credit such Principal Sums shall be entered in the said Book or Books, his, her, or their Executors, Administrators, Successors, and Assigns, shall and may have Power to assign or transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Bodies Politic or Corporate, whatsoever, in Books to be prepared and kept by the said Accountant-general; and the said Principal Sums so assigned or transferred shall carry the said Annuity of three Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock, transferrable by virtue of this Act, until the Redemption thereof, in Manner herein after mentioned; and the said Accountant-general of the Bank of *England* for the Time being is hereby authorized and directed to cancel and file the Certificates as they shall from Time to Time be received and taken in by him, and to give the Persons bringing in the same a Note under his Hand, testifying the Principal Money for which they shall have Credit in the said Book or Books, by reason or means of the Certificates so received, taken in, and cancelled, as aforesaid, and of the Annuities attending the same.

Governor, &c. of the Bank to appoint a Chief Cashier and Accountant-general.

Monies to be issued at the Exchequer to the Chief Cashier, for Payment of Annuities created by this Act.

XLVIII. And, for the more easy and sure Payment of all the Annuities established by this Act, be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall, from Time to Time, until all the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall be redeemed, appoint and employ one or more sufficient Person or Persons within their Office in the City of *London*, to be their Chief or First Cashier or Cashiers, and one other sufficient Person within the same Office to be their Accountant-general; and that so much of the Monies, by this Act appropriated for this Purpose, as shall be sufficient from Time to Time to answer the said several and respective Annuities, and other Payments herein directed to be made out of the said Monies, shall, by Order of the Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being, without any further or other Warrant to be sued for, had, and obtained

tained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account, for the Payment of the said several and respective Annuities, payable by virtue of this Act; and that such Cashier or Cashiers, to whom the said Money shall from Time to Time be issued, shall, from Time to Time, without Delay, pay the same accordingly, and tender his or their Accounts thereof according to the due Course of the Exchequer.

XLIX. And be it further enacted by the Authority aforesaid, 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; and that all Persons who shall be intitled 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.

L. And be it further enacted by the Authority aforesaid, That all the Monies to which any Person or Persons shall become intitled, by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of one million four hundred thousand Pounds, together with the additional Capital of seven Pounds and ten Shillings, in respect of every Sum of seventy Pounds, making in the Whole the Principal Sum of one million five hundred and fifty thousand Pounds, on which the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall be attending; and the Principal Sums to be determined by the drawing of the said Lottery, to be attended with Annuities after the like Rate, shall be added to the joint Stock of Annuities transferrable at the Bank of *England*, into which the several Sums, carrying an Interest at the Rate of three Pounds *per Centum per Annum*, were by several Acts, made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third Years of the Reign of his late Majesty King *George* the Second, and 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 Act, made in the twenty-fifth Year of his said late Majesty's Reign, is directed, in respect of the several and respective Annuities redeemable by virtue of the said Act; and that all and every Person and Persons, and Corporations whatsoever, in proportion to the Money to which he, she, or they, shall become intitled 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.

LI. And be it further enacted by the Authority aforesaid, That Books shall be constantly kept by the said Accountant-general for the Time being, wherein all Assignments or Transfers of all Sums advanced or contributed towards the said Sum of one million four hundred thousand Pounds, and also all Assignments or Transfers of all Sums advanced or contributed towards the said Sum of six hundred thousand Pounds, shall, at all seasonable Times, be entered and registered; which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or, if such Parties be absent, by their respective Attorney or Attornies thereunto lawfully authorized in Writing, under his or their Hand and Seal or Hands and Seals, to be attested by two or more credible Witnesses; and that the several Persons to whom such Transfers shall be made, shall respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law.

LII. Provided also, That all Persons possessed of any Share or Interest in either of the said Stocks of Annuities, or any Estate or Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made upon any such Devise, till so much of the said Will as relates to such Share, Estate, or Interest, in the said Stocks of Annuities, be entered in the said Office; and that in Default of such Transfer or Devise, such Share, Estate, or Interest, in the said Stocks of Annuities, shall go to the Executors, Administrators, Successors, and Assigns; and that no Stamp-duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

LIII. Provided always, and be it enacted by the Authority aforesaid, That, out of the Monies arising from the Contributions towards raising the said Sum of two Millions, any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable, and also to settle and appoint such Allowances as shall be thought proper for the Service, Pains, and Labour, of the said Cashier or Cashiers, for receiving, paying, and accounting for, the said Contributions; and also shall have Power to make, out of the Fund hereby established, or out of the Sinking Fund, such further Allowances as shall be judged reasonable for the Service, Pains, and Labour, of the said Cashier or Cashiers, for receiving, paying, and accounting for, the said Annuities, payable by virtue of this Act; and also for the Service, Pains, and Labour, of the said Accountant-general, for performing the Trust reposed in him by this Act; all which Allowances to be made as aforesaid, in respect to the Service, Pains, and Labour, of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only.

LIV. Provided always, and be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation for the Purposes of this Act, till all the Annuities, after the Rate of three Pounds *per Centum per Annum*, by this Act granted, shall be redeemed by Parliament, as aforesaid; and that the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

Accountant general to examine Receipts and Payments. Annuities deemed personal Estate.

All Monies, to which any Persons shall be intitled by this Act, to be added to the joint Stock of Annuities transferrable at the Bank; and to carry an Interest of 3 per Cent.

Books to be kept by Accountant-general, wherein shall be entered all Transfers of Sums advanced on this Act. Method of transferring.

Persons possessed of Stock may devise the same by Will, &c.

Transfers not subject to Stamp-duties.

Commissioners of the Treasury to discharge all incident Charges attending the Execution of this Act.

The Bank to continue a Company till Redemption of the Annuities.

LV. And

No Fee to be taken for receiving or paying Contribution-monies, or for issuing Receipts, on Penalty of 20*l*.

LV. And be it further enacted, That no Fee, Reward, or Gratuity whatsoever, shall be demanded or taken of any of his Majesty's Subjects for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon Pain that any Offender, or Person offending by taking or demanding any such Fee, Reward, or Gratuity, shall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Costs of Suit; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Restraint, or any more than one Imparlance, shall be granted or allowed.

General Issue.

LVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or prosecuted, for any Thing done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them, against any such Plaintiff or Plaintiffs.

Treble Costs.

C A P. XXXV.

An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-six. 1,500,000*l*.

C A P. XXXVI.

An Act for the Encouragement and Improvement of the Pilchard-fishery carried on within the Bay of *Saint Ives*, in the County of *Cornwall*.

Assemble.

WHEREAS a Pilchard-fishery hath for many Years been carried on in the Bay of *Saint Ives*, in the County of *Cornwall*, and the carrying on and Improvement thereof is of great Importance to this Nation, by increasing the Trade and Navigation thereof, and being a Nursery for Seamen, and otherwise a Means of employing and providing for a Number of industrious poor People: And whereas the said Fishery hath hitherto been conducted and carried on according to, and regulated by, certain Customs or Regulations which have from Time to Time been devised by the Fishermen and Fishcurers concerned and employed in the said Fishery, which by mutual Consent have been observed and complied with; several of which Customs or Regulations are by Experience found proper to be strictly observed and continued in Force; and others improper to be any longer pursued or observed: And whereas of late Years the Number of Adventurers in the said Fishery, and the Craft employed therein, hath been greatly increased, and in several Instances many of the aforesaid Customs or Regulations, which are most proper to be observed, have been infringed and disregarded, and several unwarrantable Practices have been introduced into such Fishery, and used by the Fishermen employed therein, whereby great Losses and Inconveniencies have happened to divers Persons, and the said Fishery hath been much prejudiced: For Remedy whereof, and for the better Preservation of the said Fishery, and for preventing the fishing within the said Bay of *Saint Ives* with unsizeable and improper Nets, and for ascertaining the Times and Seasons, and Manner of fishing, within the said Bay, and for the regulating the said Fishery, and reforming Abuses therein; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the six several Stems or Stations for taking Fish within the said Bay of *Saint Ives* respectively, called or known by the Names of *Carrick Gladden*, *The Poll*, *The Leigh*, *Porthminster*, *Pedn Olver*, and *Carrick Leggoe* otherwise *Carn Crowze* Stems, shall, from and immediately after the passing of this Act, be deemed and taken to be bounded and limited in Manner herein after particularly mentioned; that is to say, *The Carrick Gladden* Stem is to be unlimited towards the South, and towards the East, and to extend towards the North as far as the Marks or Boundaries herein after directed to be set up and erected in *Porth Repta* River; *The Poll* Stem is to extend towards the North from the said Marks or Boundaries in *Porth Repta* River aforesaid, as far as the North Side of a certain Hedge or Fence, being the fourth Fence from a House called *The Signal-house*, on *Porthminster* Hill, to the Southward of the said House; *The Leigh* Stem is to extend towards the North from the End of *The Poll* Stem, according to the Boundary herein before mentioned, as far as the *Carrick Rock* opposite *Porthminster* Point; the *Porthminster* Stem is to extend towards the North from the said *Carrick Rock*, as far as the Marks or Boundaries which are already fixed and erected on the Banks of *Porthminster* River; the *Pedn Olver* Stem is to extend towards the North from the said Marks or Boundaries on the Banks of *Porthminster* River, as far as the South Corner of the Church-yard in the Town of *Saint Ives*; and the *Carrick Leggoe* or *Carn Crowze* Stem is to extend towards the South from the aforesaid South Corner of the said Church-yard, and to be unlimited towards the North.

Boundaries of the six Stems ascertained.

Poles to be erected, to distinguish the Boundaries of some of the Stems.

II. And be it further enacted, That within the Space of one Calendar Month after the passing of this Act, Poles, or other proper and sufficient Marks, shall be erected and fixed up in *Porth Repta* River, and the other Places aforesaid, for the better distinguishing and ascertaining the Extent, Boundaries, or Limits, of each of the said six several Stems or Stations, for taking Fish within the said Bay of *Saint Ives*, as terminate at or are bounded by the several Places last herein before mentioned; and also that the Expences of erecting such Poles, or other proper and sufficient Marks, and keeping up and maintaining the same, shall now, and at all Times hereafter, be paid and borne by all the Partnerships or Companies that now are

or hereafter shall be concerned in the said Pilchard-fishery within the said Bay of *Saint Ives*, in proportion to the Number of Seynes they respectively do or shall employ therein.

III. And whereas the present Method of Boats holding Turns or Stems upon the said several Stems or Stations, without any Limitation in Point of Time, is found to be very prejudicial to the said Fishery; be it therefore further enacted, That, from and after the twenty-fourth Day of *June*, which will be in the Year of our Lord one thousand seven hundred and seventy-seven, all Stems or Turns, or Times of Fishing upon the aforesaid six several Stems or Stations, shall commence at the Hour of Twelve at Night, and be determined or end at the Hour of Twelve in the following Night, unless the Boat or Boats holding or keeping such Stem or Turn, Stems or Turns, do in the mean time shoot or cast out into the Water her or their Seyne-net or Seyne-nets; and that each and every Boat that shall take Turn upon, or take Possession of, any of the said six several Stems or Stations, in the Manner herein after particularly mentioned, shall successively, in the Turn or Order in which they have severally taken their Turns or Stems upon the said Stations, have the Benefit and Advantage of fishing within the Limits of such Stem or Station, from the Time the same Turn or Stem shall be taken until the Hour of Twelve in the succeeding Night, subject to the Restrictions herein after mentioned.

Time of continuing upon the Stems limited.

IV. And be it further enacted, That the Order and Manner of taking the Turns of Fishing, commonly called taking Stems, upon the aforesaid six several Stems or Stations, shall be as follows; that is to say, The Boat taking Turn or Stem must have on Board five Men at the least, a sufficient Seyne-net, with Warp-rope and Tow-rope of the Dimensions herein after specified and particularly mentioned; and to intitle any Boat to a Turn or Stem, and the Benefit and Advantage thereof, the Warp-rope of the Seyne-net belonging to such Boat is to be landed at the aforesaid several Stems or Stations within the several Distances following; that is to say, At *Carrick Gladden* Stem the Warp-rope is to be landed between *Carrick Gladden* Point and the Limits of the said Stem in *Porth Repta* River aforesaid; at *The Poll* Stem, *The Leigh* Stem, *Porthminster* Stem, and *Pedn Olver* Stem respectively, the Warp-rope may be landed at any Place within the respective Limits of the aforesaid several Stems or Stations herein before described; and at *Carn Crowze* Stem the Warp-rope is to be landed at any Place within the aforesaid South Corner of the Church-yard in *Saint Ives* and a Rock called *Merran*, northward of the said Church-yard; and that all the said Turns or Stems are to be taken by landing such Warp-rope, and not otherwise.

The Manner of taking Stems, and what intitles a Boat thereto.

V. And be it further enacted, That no Tuck-net, commonly used in tucking or taking up Fish out of the Seyne-nets, shall intitle any Boat to take or hold a Turn or Stem upon any of the aforesaid six several Stems or Stations.

No Tuck-net to intitle a Boat to take Stem.

VI. And be it further enacted, That the aforesaid several Turns or Stems, when taken by landing the Warp-rope as aforesaid, shall be registered in Manner following; that is to say, One of the five Men who shall be in the Boat at the Time such Turn or Stem is taken, or the Hewer for the Seyne or Master Seyner in the said Boat, shall, the same Day on which such Turn or Stem is taken, or before the Hour of Eight in the Forenoon of the next Day, bring a List or written Account of such Turn or Stem to the Person herein after appointed to receive the same; in which List or written Account shall be inserted and set down the Name of the Seyne-boat, the Time when, and upon which Stem or Station such Turn or Stem was taken, and the Names of the five Persons employed in taking such Turn or Stem; which List or written Account shall be registered in a Book by the Person or Clerk appointed for that Purpose.

Time and Manner of registering the Turns or Stems.

VII. And be it further enacted, That every Turn or Stem, not registered in the Manner and within the Time herein before for that Purpose mentioned, shall be forfeited.

Stems not registered to be forfeited.

VIII. And be it further enacted, That if any Person shall register, or cause to be registered, any Boat or Boats, as having taken any Turn or Stem, Turns or Stems, upon any of the aforesaid six several Stems or Stations, within the Time and in the Manner herein before particularly mentioned, and it shall afterwards appear, either that such Boat or Boats was or were not intitled to take such Turn or Stem, Turns or Stems, or that such Boat or Boats did not take such Turn or Stem, Turns or Stems, in the Manner, within the Time, and within the Limits, herein before for that Purpose particularly mentioned and provided, and in the List or written Account of such Turn or Stem, Turns or Stems, particularly mentioned and set down; then, in every such Case, on Information being given thereof on Oath, before the Mayor of the said Borough of *Saint Ives* for the Time being, or any Justice of Peace of the said Borough of *Saint Ives*, and on such Person being convicted of such Offence, either on his own Confession, or by the Oath of one or more credible Witnesses or Witnesses, before any such Justice as aforesaid, the Person guilty and convicted of such Offence, and the Owner or Owners of the Boat whose Turn or Stem is so falsely registered, shall forfeit and pay, for every such Offence, the several Sums herein after mentioned; that is to say, The Owner or Owners of such Boat, the Sum of twenty Pounds; and the Person guilty of such Offence, the Sum of ten Pounds.

Penalty for making false Register.

IX. And be it further enacted, That the shooting of every Seyne-net or Nets, or casting the same into the Water, shall put an End to or determine the Turn or Stem, Turns or Stems, of the Boat or Boats out of which such Seyne-net or Nets shall have been shot or cast out into the Sea; and that whenever any Boat or Boats, holding the first or any other Turn or Stem upon any of the aforesaid six several Stems or Stations, shall have shot off her or their Seyne-net or Seyne-nets, then all and every other Boat and Boats upon such Stem or Station shall take their Turns of Fishing thereupon, according to the Order in which they respectively took their Turns or Stems upon such Stem or Station; and also that in case any Boat holding the first or any other Turn or Stem upon any of the six several Stems or Stations, shall be absent from such Stem or Station at the Time the Fish begin to appear within the Limits of such Stem or Station, then all and every other Boat and Boats, then holding Turn or Stem upon the said Station, shall take their Turns of Fishing thereupon, according to the Order in which they respectively took their Turns upon such Station, until such Boat so quitting or being absent from such Station shall return to the same, and thereby regain her Turn or Stem thereupon, which such Boat is hereby authorised to do.

Boats quitting a Stem, others to succeed according to Order, &c.

X. And

Any Boat taking a fresh Turn, after having shot her Seyne-net, &c.

Owner to forfeit 10 L.

Stems at Carn Crowze, Pedn Olver, and Porthminster, to be forfeited by going to the Southward of Porthminster Station, &c. Stem to be forfeited by landing the Warp-rope in another Station.

Dimensions of the Seynes, Tow-rope, and Warp-rope.

Seyne to be moored only with forty Fathoms, and Seyne-anchors to have but one Flook.

Clerk, or Register, by Warrant, may enter any Boat to measure the Warp-ropes and Mooring-ropes, &c.

Expences of measuring, how to be paid.

Penalty on obstructing the Entry of the Clerk, &c.

X. And be it further enacted, That when any Boat, that hath taken Turn or Stem upon any of the aforefaid six several Stems or Stations, within the Time and according to the Directions herein before for that Purpose limited and given, shall have shot out her Seyne-net, such Boat shall not take any fresh Turn or Stem upon any other Stem or Station, until her said Seyne-net so shot as aforefaid shall be taken out of the Water; and in case any Boat, having shot her Seyne-net as aforefaid, shall take any fresh Turn or Stem upon any other Stem or Station, before her said Seyne is taken out of the Water, the Owner or Owners of such Boat shall, upon Conviction of such Offence, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforefaid, forfeit and pay, for every such Offence, the Sum of ten Pounds, and the Turn or Stem so taken contrary to the true Intent and Meaning of this Act shall be void, and no Benefit or Advantage had or taken therefrom; but that all Fish that shall be taken by such Boat and Seyne shall belong to and be the Property of the Owner or Owners of the Boat and Seyne intituled to such Turn and Stem.

XI. And be it further enacted, That if any Boat or Boats, holding or having taken Turn or Stem (within the Time and according to the Directions herein before for that Purpose limited and given) at *Carn Crowze*, *Pedn Olver*, or *Porthminster* Stems, shall pass the Limits of *Porthminster* Stem or Station to the Southward, with a Seyne-net on Board, every such Boat shall forfeit the Turn or Stem which she thenceforth had upon either of the aforefaid several Stems and Stations of *Carn Crowze*, *Pedn Olver*, and *Porthminster*; and also, that if any Boat or Boats, holding or having taken Turn or Stem upon any of the said six several Stems or Stations, within the Time, and according to the Directions herein before for that Purpose limited and given, shall land or put on Shore the Warp-rope belonging to her Seyne-net, within the Limits of any other Stem or Station than that upon which such Boat or Boats had originally taken Turn or Stem, the Turns or Stems first taken by such Boat or Boats shall be forfeited thereby.

XII. And be it further enacted, That the Dimensions of the Seyne-nets, to intitle any Boat or Boats to hold or take a Turn or Stem as aforefaid, shall be as follows; that is to say, Every such Seyne-net is to measure one hundred and eighty Fathoms at the least at the Cork-rope of such Seyne, and to have one hundred and forty Fathoms (Part of the said one hundred and eighty Fathoms) Cod or *Dungarvon* Mesh, and to measure nine Fathoms at the least at the Beam or Bunt, and six Fathoms at the least in Depth, at the Poles or Ends of the said Seyne (each of the said Fathoms to be computed after the Rate of five Feet to the Fathom), and to have a Tow-rope not less than eighty Fathoms, and a Warp-rope not less than three hundred and twenty Fathoms, each of the said last-mentioned Fathoms to be computed after the Rate of six Feet to the Fathom.

XIII. And be it further enacted, That no Mooring-rope to be bent or fastened to any Anchor, and used in mooring any Seyne-net or Nets, within the Limits of any of the aforefaid six several Stems or Stations, shall exceed forty Fathoms in Length, to be computed after the Rate of six Feet to the Fathom; and that all Anchors to be used in mooring Seynes, within the Limits of any of the aforefaid six several Stems or Stations, shall have one Flook only; and that if any Seyne shall hereafter be moored, within the Limits of any of the aforefaid six several Stems or Stations, with any Anchor having two Flooks, or with any Rope longer than forty Fathoms, to be computed after the Rate aforefaid, the Owner or Owners of every such Seyne, upon Conviction thereof, by the Oath of one or more credible Witness or Witnesses, before any such Justice of Peace as aforefaid, shall forfeit and pay the Sum of ten Pounds for every such Offence.

XIV. And, for the better discovering if any Warp-ropes or Mooring-ropes of an improper Length, and contrary to the Directions herein before in that Behalf given, are made use of by any Persons employed in the said Pilchard-fishery, within the Limits of any of the said six several Stems or Stations; be it further enacted, That it shall and may be lawful to and for the Person for the Time being appointed Clerk or Register to the said Fishery, in Manner hereafter mentioned, by Warrant under the Hand and Seal of such Justice of Peace as aforefaid (who is hereby required and directed from Time to Time to issue such Warrant, at the Request of any Owner or Owners of any Seyne-net or Nets employed in the said Fishery desiring the same); and all Persons who shall be specially named in such Warrant, at any Time to enter into any Seyne-boat employed in the said Pilchard-fishery, within the Limits of any of the said six several Stems or Stations aforefaid, and then and there immediately to measure all or any of the Warp-ropes and Mooring-ropes belonging to any Seyne-net or Nets then on board such Boat (unless such Seyne-net or Nets shall happen to be at that Time in the Water; in which Case the said Clerk or Register, and the other Persons named in such Warrant, are hereby authorized and directed to remain on board such Boat, until such Seyne-net or Nets shall be taken out of the Water, and then immediately to measure all or any of the Warp-ropes and Mooring-ropes belonging to the same), and report the exact Lengths of the said Warp-ropes or Mooring-ropes, or such of them as shall be then measured, to the Justice of Peace granting such Warrant as aforefaid, in order to convict or acquit the Person or Persons charged with such Offence: And it is hereby directed, that the reasonable Expences, for the Time and Trouble of the said Clerk or Register, and the Persons specially named in such Warrant, employed in taking such Admeasurement, to be settled by the Justice of Peace granting such Warrant, shall be paid and borne by the Owners of the said Seyne-net or Nets, if the Warp-ropes or Mooring-ropes, or any of them, belonging to such Net or Nets, shall appear to be of an improper Length, and contrary to the Directions herein before in that Behalf given, over and above the Penalty herein before annexed to such Offence; or otherwise by the Person at whose Request such Warrant was granted and issued.

XV. And be it further enacted, That if any Person or Persons shall obstruct or hinder the said Clerk or Register for the Time being, or any of his Assistants named in such Warrant, from entering such Boat or Boats, or in measuring all or any of the Warp-ropes or Mooring-ropes of the Seyne-net or Nets belonging to such Boat or Boats, the Person or Persons so offending therein shall, for every such Offence,

forfeit

forfeit the Sum of ten Pounds, on Conviction thereof, by the Oath of one or more credible Witnesses or Witnesses, before the Justice of Peace granting such Warrant as aforesaid.

XVI. And be it further enacted, That there shall be a proper and sufficient Buoy and Buoy-rope made fast to every Anchor which shall be used in mooring any Seyne-net or Nets within the Limits of any of the said six several Stems or Stations, so as to point out and discover all and every such Anchor and Anchors during all the Time that such Seyne-net or Nets shall remain in the Water; and in Default thereof, the Owner or Owners of every such Seyne-net or Nets so moored, within the Limits aforesaid, by any Anchor or Anchors without a sufficient Buoy and Buoy-rope fastened thereto, shall, upon Conviction of such Offence, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforesaid, forfeit the Sum of ten Shillings for any Anchor used in mooring such Seyne-net or Nets, without having a sufficient Buoy and Buoy-rope made fast to the same.

Every Anchor used in mooring to have a sufficient Buoy and Buoy-rope;

on Penalty of 10s.

Penalty on leaving Boats at Anchor without five Men on Board.

XVII. And be it further enacted, That no Boat or Boats, having any Seyne-net or Nets on Board, shall remain or be left at Anchor, or be moored or fastened within the Limits of any of the aforesaid six several Stems or Stations, without five Men at least on Board such Boat or Boats, the whole Time that the same remains or remain at Anchor, or be moored or fastened as aforesaid; and that if, from and after the twenty-fourth Day of June one thousand seven hundred and seventy-seven, any Boat or Boats, with any Seyne-net or Nets on Board, shall be left or found at Anchor within the Limits aforesaid, without five Men at the least on Board such Boat or Boats respectively, the Owner or Owners of such Boat or Boats shall, upon Conviction, by the Oath of one or more credible Witnesses or Witnesses before any such Justice of Peace as aforesaid, forfeit, for every such Offence, such Sum of Money as such Justice shall think fit and adjudge, not exceeding ten Pounds.

XVIII. And be it further enacted, That the Warp-rope of every Seyne-net shall be landed or brought on Shore before the Boat, having such Seyne-net on Board, is put off to Sea to shoot her Seyne; and that if any Boat, having a Seyne-net on Board, shall be put out to Sea before the Warp-rope of her Seyne-net shall be landed, the Hower or Howers of such Boat and Seyne shall, upon Conviction, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforesaid, forfeit and pay, for every such Offence, the Sum of fifty Pounds; and if any Fish shall be taken by such Boat, all such Fish shall be forfeited to the Owner or Owners of the Boat then next in Turn, upon the Stem or Station within the Limits of which such Offence is committed, having her Warp-rope on Shore.

Penalty on putting a Boat to Sea, &c. before the Warp-rope is landed.

XIX. And be it further enacted, That if the Warp-rope of the Seyne-net belonging to the Boat intitled to the first Turn or Stem, upon any of the said six several Stems or Stations, shall be landed before any other Boat, which may have put out to Sea, shall have shot out one End or Part of her Seyne, it shall and may be lawful for the Hower of the Seyne, on Board the Boat so intitled to the first Turn or Stem, to forbid the other Boat from shooting her Seyne; and if such Boat shall shoot her Seyne, notwithstanding such Forbiddal, then and in such Case all the Fish which shall be taken by her shall belong and be forfeited to the Owner or Owners of the Boat so intitled to the first Turn or Stem; and the Owner or Owners of the Boat, from which the Seyne-net shall be so shot after such Forbiddal as aforesaid, shall also forfeit and pay the Sum of twenty Pounds.

Regulations for shooting the Seyne.

XX. Provided always, That if such last mentioned Boat or Boats shall have shot out any Part of her or their Seyne before the Warp-rope of the Seyne belonging to the Boat intitled to the first Turn or Stem is landed, then, and in such Case, the Hower of the Seyne on Board the Boat, intitled to such first Turn or Stem, shall have no Right to interrupt or forbid the Persons belonging to such other Boat or Boats as aforesaid from proceeding in shooting out the Remainder of their Seyne.

Proviso.

XXI. And be it further enacted, That no Boat, having or holding a Second or other Turn or Stem upon any of the aforesaid six several Stems or Stations, shall be put out to Sea, until the Boat intitled to the first Turn or Stem upon that Station shall have shot out all her Seyne, or shall desist from shooting out the same; and that if any Boat, holding Second or other following Turn or Stem upon any of the aforesaid six several Stems or Stations, shall be put out to Sea before the Boat intitled to the first Turn or Stem upon such Station shall have shot her whole Seyne, or, having begun to shoot, shall desist from shooting the same, the Hower or Howers of such Boat shall, upon Conviction of such Offence, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforesaid, forfeit and pay, for every such Offence, the Sum of ten Pounds; and if any Fish shall be taken by such Boat or Seyne, all such Fish shall be forfeited to the Owner or Owners of the Boat and Seyne then intitled to the first Turn or Stem.

Second Boat not to put to Sea till the first Boat hath shot her Seyne.

XXII. And whereas it frequently happens, that, after Fish are within the Limits of any of the said six several Stems or Stations, and the Boat then holding Turn or Stem upon some one of such Stations hath begun to shoot out her Seyne, the Fish start back or pass into the Limits of one of the next Stems or Stations; be it therefore enacted, That in every such Case it shall and may be lawful to and for every Boat, which hath begun to shoot her Seyne when the Fish were within the Limits of the Stem or Station upon which she held or was intitled to Turn or Stem as aforesaid, to continue to shoot out the Remainder of her Seyne in the adjoining Stem or Station into which the said Fish shall go or pass.

When Seyne is partly shot in one Stem, the Remainder may be shot in the adjoining Stem, if the Fish go thither.

XXIII. And be it further enacted, that when any Seyne-net shall be shot within the Limits of any of the aforesaid six several Stems or Stations, such Seyne-net may be worked or haled through the Limits of any adjoining Stem or Station, and brought to a convenient and proper Mooring-place, and moored and secured within the Limits of any of the said six several Stems or Stations for the Preservation of the said Seyne, and the Fish inclosed therein.

When Seyne is shot, it may be worked through and moored in any other Stem.

XXIV. And be it further enacted, That if more Seyne-nets than one shall happen to be in the Water at the same Time with Fish inclosed in each, the Owner or Owners of the Seyne which there shall be Occasion to moor, after the first Seyne hath been moored, shall be at Liberty to moor the said Seynes together, fastening the Cork-rope of the one Seyne-net to the Cork-rope of the other, provided there be not

Two Seynes may be moored together, with 10 Anchors on the

North and South
Sides of such
Seynes.

less than ten sufficient Mooring-anchors put out on the Southern Sleeve or Side of the Southermost Seyne-net, and no less than ten sufficient Mooring-anchors on the Northern Side or Sleeve of the Northermost Seyne-net: and if the said Owner or Owners of the said Southern or Northermost Seynes shall neglect to moor their respective Seyne-nets with ten sufficient Mooring-anchors as aforesaid, the Owner or Owners guilty of such Offence shall, upon Conviction thereof, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforesaid, forfeit the Sum of forty Pounds for every such Offence

When the An-
chors of the out-
ermost Seynes
drive, the Own-
ers of such
Seynes to re-
place the Seyne.

XXV. And whereas, when more than two Seyne-nets are moored together, it may frequently hap-
pen, by the Violence of the Tide or otherwise, that the Anchors of some of the outermost of the said-
Seyne-nets may drive or start, or the Mooring-ropes belonging or fastened to such Anchors may part or
break, by Means whereof the Sides of the inner Seyne-net or Nets may be forced too near together, so as
to endanger the Loss of the Fish enclosed therein; be it therefore further enacted, That in all such
Cases the Owners of such outermost Seyne-net, whose Anchors shall drive, or Mooring-ropes part, as
aforesaid, shall, upon Notice being given to any one of such Owners, or to the Hewer of such Seyne or
Master Seyner thereof, immediately assist and send one Boat, manned with five Men at the least, to re-
place the said outermost Seyne in its proper Birth or Station again; and in case of any Neglect or Refusal
to afford such Assistance as aforesaid, the Owners or Master Seyner of the inner Seyne-net or Nets, so in
Danger of losing their Fish as aforesaid, shall be at Liberty to replace such outermost Seyne into its proper
Birth or Situation, and the Owner or Owners of such outermost Seyne neglecting to afford such Assistance
as aforesaid, shall, for every such Offence, upon Conviction thereof, by the Oath of one or more credible
Witness or Witnesses, before such Justice of Peace as aforesaid, forfeit the Sum of one Pound to the Owner
or Owners of the said inner Seyne-net or Nets, for and towards the Expence of replacing the said outermost
Seyne-net as aforesaid.

One Anchor to
the Bunt of
every Seyne.

XXVI. And be it further enacted, That the Bunt or Middle of every Seyne-net in which Fish shall be
inclosed shall be moored with one sufficient Anchor at the least, when such Seyne shall be haled into her
proper Birth, and there moored on the Sleeves or Sides as aforesaid.

Seyne that is
first moored to
attend the moor-
ing of every
other Seyne.

XXVII. And be it further enacted, That when any Seyne-net with Fish inclosed therein shall be
moored within any Cove or Birth, and it shall be necessary to moor any other Seyne-net or Nets in the
said Cove, the Owner or Owners or Hewer of the Seyne so first moored shall send out a Boat, manned
with four Men at the least, to attend the Mooring of such other Seyne-net or Nets, to see that the Seyne
first moored shall receive no Damage by the haling in or mooring such other Seyne-net or Nets in the
said Cove; and in case the Owners of the Seyne first moored shall neglect to send out such Boat, so manned
as aforesaid, the Owners of such other Seyne-net or Nets shall not be answerable for any Damage to be
done, or which shall happen by haling such other Seyne-net or Nets into a proper Birth in the said Cove
and Mooring there.

Penalty for cut-
ting off any
Rope belonging
to Seynes, &c.

XXVIII. And be it further enacted, That if any Person or Persons whatsoever shall, either by Day
or Night, wilfully and maliciously cut or cast off, or cause to be cut or cast off, any Warp-rope, Tow-rope,
or Mooring-rope, of or belonging to any Seyne or Thwart-net in the Water, or shall wilfully and mali-
ciously cut, break, or destroy, any such Seyne or Thwart-net in the Water, or shall wilfully and maliciously
cut, cast off, or unbend, any Cable, Hawser, or other Rope, either fastened on Shore, or bent to any
Anchor then used for mooring any Ship or Vessel, which shall be lying in the Pier or Harbour of *Saint
Ives*, for the Purpose of loading Fish, or any other Ship or Vessel whatsoever which shall be lying in the
said Pier or Harbour, or shall wilfully cut, cast off, or unbend, any Hawser or Rope fastened on Shore, or
bent to an Anchor then used for mooring any Boat whatsoever lying within the said Pier or Harbour;
then, and in any of the said Cases, every Person so offending, being thereof lawfully convicted, shall be ad-
judged guilty of Felony, and transported to one of his Majesty's Plantations Abroad, for seven Years, or
shall be committed to Prison for any Time not exceeding three Years, at the Discretion of the Judge or
Court before whom such Offender shall be tried; and any Indictment for such Offence shall and may be
enquired of, examined, tried, and determined, in any adjacent County, within that Part of *Great Britain*,
in such Manner and Form as if the Facts had been therein committed.

Proviso, relating
to Vessels going
into or out of
Harbour.

XXIX. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be
construed to extend, to hinder or prevent any Person or Persons on board any Boat, Ship, or Vessel, coming
into or going out of the said Pier or Harbour of *Saint Ives*, from cutting or casting off any Rope or Cable,
where it will be necessary to be done for the Safety of any such Boat, Ship, or Vessel.

Times for shoot-
ing the Seynes
upon the several
Stems or Sta-
tions.

XXX. And be it further enacted, That although the Turns or Stems are herein before appointed to be
held from the Hour of Twelve in one Night to the like Hour of Twelve in the following Night, yet the
Time of shooting the Seyne-nets within the Limits of the said six several Stems or Stations shall commence
and end at and within the several States of High and Low Water, upon the said several Stems or Stations
respectively, herein after particularly mentioned; that is to say, The Turns or Stems for shooting the
Seyne-nets within the Limits of *Carrick Gladden* Stem or Station, shall begin at the Time of Half Flood,
and end at the Time of Half Ebb of the Tide upon that Station; the Turn or Stem for shooting the
Seyne-nets within the Limits of *The Poll* Stem or Station, shall begin at the Time of a Quarter Flood,
and end at the Time of three Quarters Ebb of the Tide upon the last mentioned Station; the Turn or
Stem for shooting the Seyne-nets within the Limits of *The Leigh* Stem or Station, shall begin at the Time
of three Quarters Ebb, and end at the Time of one Quarter Flood of the Tide upon the said last men-
tioned Station; the Turn or Stem for shooting the Seyne-nets within the Limits of *Porthminster* Stem or
Station, shall begin at the Time of two Hours Flood, and end at the Time of four Hours Ebb of the Tide
upon the said last mentioned Station; the Stem or Turn for shooting the Seyne-nets within the Limits of
Carr Crowze Stem or Station, shall begin at the Time of three Quarters Ebb, and end at the Time of
one Quarter Flood of the Tide upon the said last mentioned Stem or Station; and within the Limits of

Pids

Pedn Oiver Stem or Station, the Seyne-nets may be shot at all Times or States of the Tide: And that if any Seyne-net or Nets shall be shot within the Limits of *Carrick Gladden, The Poll, The Leigh, Porthminster,* and *Carn Crowze* Stems respectively, before or after the several States of the Tide at which the Turns or Stems for shooting the Seynes are herein before particularly directed to commence and end at the said five last mentioned Stems or Stations as aforesaid, the Owner or Owners or Hewer of every such Seyne shall, upon Conviction, by the Oath of one or more credible Witness or Witnesses, before any such Justice of Peace as aforesaid, forfeit and pay, for every such Offence, the Sum of twenty Pounds: And if any Fish shall be taken in consequence of any Seyne-net or Nets shot contrary to the Directions herein before given, all such Fish shall be forfeited to such Person or Persons as any two of the Justices of the Borough, on hearing the Parties, and Examination of Witnesses upon Oath, if necessary, shall order and direct.

XXXI. And be it further enacted, That the Commencement and End of the aforesaid several Turns or Stems of shooting the Seyne-nets, within the Limits of the said *Carrick Gladden, The Poll, The Leigh, Porthminster,* and *Carn Crowze* Stems respectively, shall be declared and made known by the hoisting of a Flag, or some other proper Signal, at the Beacon-house on *Porthminster* Hill, by a Person herein after appointed for that Purpose.

XXXII. And be it further enacted, That when the Turn or Stem for shooting the Seyne-nets within the Limits of *Carrick Gladden* Stem or Station, by the Boats upon that Station, shall be at an End, at the State of the Tide upon that Station herein before for that Purpose mentioned, it shall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon *The Poll* Stem, to shoot her or their Seyne-net or Nets into the Limits of *Carrick Gladden* Stem, until such Stems shall again commence, according to the Directions herein before for that Purpose given; and also that when the Turn or Stem for shooting the Seyne-nets within the Limits of *Carrick Gladden* and *The Poll* Stems respectively, by the Boats upon the said last mentioned Stations, shall be at an End, according to the Directions, and at the States or Times of the Tide upon those Stations herein before for that Purpose given and mentioned, it shall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon the *Leigh* Station, to shoot her or their Seyne-net or Nets into the Limits of *Carrick Gladden* and *The Poll* Stems respectively, until *The Poll* Stem shall again commence, according to the Directions herein before for that Purpose given; and also, when the Turn or Stem for shooting the Seyne-nets within the Limits of the *Porthminster* and *Carn Crowze* Stems respectively, by the Boats upon the said last mentioned Stations, shall be at an End, according to the Directions, and at the States of Tide herein before for that Purpose given and mentioned, it shall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon the *Pedn Oiver* Station, to shoot her or their Seyne-net or Nets into the Limits of the said *Porthminster* and *Carn Crowze* Stems respectively.

XXXIII. And be it further enacted, That, upon the said twenty-fourth Day of *June* one thousand seven hundred and seventy-seven, it shall and may be lawful to and for the several Partnerships or Companies, concerned in the said Pilchard-fishery within the said Bay of *Saint Ives*, (each Partnership or Company duly authorising, in Writing, some one Person to vote for each Company or Partnership) to elect and appoint some fit and proper Person to be their Clerk or Register, for the Purposes herein after particularly mentioned; that is to say, To receive all the Lists or written Accounts that shall be brought to him of Turns or Stems for fishing, to be from Time to Time taken by the Seyne-boats in Manner aforesaid, and to enter the same Lists and Accounts in a Book to be by him provided and kept for that Purpose, and to give a Certificate thereof; and also, from Time to Time, as often as Occasion shall be and require, to measure the Gurries or Vessels used in the Division of the Pilchards brought home from the Seyne-net or Nets, and all the Seyne-nets, Warp-ropes, Tow-ropes, and Mooring-ropes, belonging to any Seyne-net or Nets, made use of within the said Bay of *Saint Ives*; and to examine whether the Anchors used in mooring such Seyne-nets have more than one Flook each; and also, at the several States or Times of Tide when the Turns or Stems for shooting the Seyne-nets are herein before directed to commence and end at the *Carrick Gladden, The Poll, The Leigh, Porthminster,* and the *Carn Crowze* Stems as aforesaid, to give, or cause to be given, a Signal or Signals from the Beacon-house upon *Porthminster* Hill, by the Hoisting of a Flag or Flags, or otherwise, as shall from Time to Time be fixed and agreed upon by all the several Companies or Partnerships for the Time being concerned in such Fishery; and that on the twenty-fifth Day of *March* in every Year, there shall be paid, to the Person for the Time being appointed Clerk or Register to the Companies concerned in the said Pilchard-fishery as aforesaid, as and for his Salary, and in full Recompence and Satisfaction for his Time and Trouble in attending to and transacting the several Matters and Things herein before intrusted to him as aforesaid, the clear Sum of fifteen Pounds; such Salary to be raised and paid by all the Partnerships or Companies for the Time being concerned in the said Pilchard-fishery, in Proportion to the Number of Seyne-nets they shall respectively employ therein.

XXXIV. And be it further enacted, That if any such Clerk or Register, to be appointed as aforesaid, shall at any Time hereafter receive any Sum or Sums of Money, Gratuity, or Reward whatsoever, from any Person or Persons, to prevent, delay, or hinder any Prosecution, or compound for, or wilfully conceal, any Offence to be committed contrary to this Act, and shall be thereof convicted by the Oath of one or more credible Witness or Witnesses, before such Justice of the Peace as aforesaid, such Clerk or Register shall forfeit and pay the Sum of ten Pounds, and be forthwith dismissed from his said Office or Employment, and rendered incapable of ever again being re-elected thereto, or re-instated therein.

XXXV. And be it further enacted, That the Person so to be elected and appointed Clerk or Register as aforesaid, shall not upon any Pretence whatsoever, either in his own Name, or in the Name or Names of any other Person or Persons in Trust for him, have, hold, or enjoy, any Share or Interest whatsoever in any Boat or Seyne-net employed in the Pilchard-fishery within the said Bay of *Saint Ives*; nor act or be employed as a Hewer or Hewers, Seyner or Blowfer, to any Person or Persons concerned in the said

Owners of Seynes, shooting at improper Times, to forfeit 20l. for each Offence.

Commencement, &c. of shooting the Seynes to be made known by a Signal.

At what Times the Boats having Turn on one Stem, may shoot their Seyne-nets within the Limits of another Stem.

Register to be appointed;

His Duty,

and Salary,

Penalty on Register receiving Bribes, &c.

Register not to be interested in the Pilchard-fishery, &c.

Pilchard-fishery; and also that it shall and may be lawful to and for the said Companies or Partnerships for the Time being, concerned in the said Pilchard-fishery, (or for the Majority of them, each Partnership deputing one Person to vote for each Partnership) from Time to Time hereafter, as they shall see fit, to remove and dismiss the Person to be appointed Clerk or Register to the said Fishery on the said twenty-fourth Day of *June* one thousand seven hundred and seventy-seven, or any future or other Clerk or Register, from such Station or Office; and thereupon, in his Place and Stead, to appoint and elect some other fit Person to be Clerk or Register to the said Pilchard-fishery, with such Salary, not exceeding the Sum of fifteen Pounds, as the said Companies or Partnerships, so electing such Clerk or Register, shall think fit to allow and appoint.

Penalty on fishing for Hook-fish, &c. between July 25, and December 25.

XXXVI. And be it further enacted, That, from the twenty-fifth Day of *July*, until the twenty-fifth Day of *December*, in this present and every succeeding Year, no Person or Persons shall fish for any Hook-fish, or shoot or lay any Boulter or Ground-tackle for taking Fish, or make use of any Trawling-net or Nets, within the Distance of one thousand Fathoms from the Shore, any where within the Limits of the aforesaid six several Stems or Stations; and that every Person offending herein shall, upon Conviction thereof, by the Oath of one or more credible Witnesses or Witnesses, before such Justice of Peace as aforesaid, forfeit the Sum of ten Shillings for every such Offence.

Penalty on Boats not keeping within 20 Fathoms of the Shore, between July 25, and December 25.

XXXVII. And be it further enacted, That all Boats, which shall have Occasion to pass and repass within the Limits of the aforesaid six several Stations, between the twenty-fifth Day of *July* and the twenty-fifth Day of *December*, in every Year, shall, during such last-mentioned Space of Time, keep within the Distance of twenty Fathoms from the Shore; and that if any Boat or Boats, between the twenty-fifth Day of *July* and twenty-fifth Day of *December*, in passing and repassing within the Limits of any of the aforesaid six several Stems or Stations, to and from the Harbour of *Saint Ives*, shall not keep within the Distance of twenty Fathoms from the Shore, every Person on Board such Boat shall, upon Conviction of every such Offence, by the Oath of one or more credible Witnesses or Witnesses, before any such Justice of Peace as aforesaid, forfeit and pay the Sum of five Shillings for every such Offence.

Gurries to be measured and marked;

XXXVIII. And be it further enacted, That the Gurries or Vessels to be used by every Company or Partnership for the Carriage or Division of Pilchards taken from the Boats that shall bring home the Pilchards from the Seyne, shall be all of the following Size or Dimension; that is to say, Thirty Inches in Length, twenty-one Inches in Breadth, and nineteen Inches deep; and that all such Gurries or Vessels shall, before they have been used, be measured and marked in some conspicuous Place or Part thereof by the Clerk or Register for the Time being, who shall put, or cause to be put, the initial Letters of the Names of the Owners thereof; and that if any Person or Persons shall make use of, or attempt to make use of, any Gurry or Gurries, or Vessel or Vessels, that hath or have not been measured and marked by the said Clerk or Register, as aforesaid, it shall and may be lawful for any Person or Persons observing such unmarked Gurry or Gurries, Vessel or Vessels, to seize the same, and carry such unmarked Gurry or Gurries, Vessel or Vessels, before the Mayor of the said Borough of *Saint Ives* for the Time being; and if the same shall, upon View or Examination thereof, appear to be unfit, contrary to the Directions herein before given, or unmarked by the said Clerk or Register, the Owner or Owners of such Gurry or Gurries, Vessel or Vessels, shall forfeit and pay the Sum of one Guinea for every such unmarked Gurry or Gurries, Vessel or Vessels, and the same shall be immediately broken and destroyed.

on Penalty of 2l. 2s.

Partnerships may alter the Size of Gurries.

XXXIX. Provided always, That if, at any future Time or Times, it shall be thought proper to make any Alteration in the Size of the said Gurries or Vessels, it shall and may be lawful to and for the several Partnerships or Companies for the Time being, concerned in the said Pilchard-fishery, from Time to Time, on the twenty-fifth Day of *March* in each Year, as often as they shall think proper, (one Person being duly authorized to vote for each Partnership as aforesaid) to make such Alterations in, and Regulations relating to, the Size and Dimensions of the said Gurries, as to the said Persons so deputed to vote as aforesaid, or the Majority of them, shall seem meet; and that, after every such Alteration and new Regulation, and so long as such Regulation shall continue in Force, all the Gurries to be used in the Carriage or Division of the said Fish shall be of the Size and Dimensions so from Time to Time pointed out and directed, and shall also be measured and marked before they are used, in such and the same Manner as is herein before directed.

Penalties and Forfeitures how to be recovered and applied.

If sufficient Distress cannot be found, Offender to be committed.

XL. And, for the better and more easy Recovery of the several Penalties and Forfeitures to be incurred by Disobedience to this Act, and for disposing of the said Forfeitures where no particular Provision is made herein, be it further enacted, That it shall and may be lawful to and for the Mayor of the said Borough of *Saint Ives* for the Time being, and for any of his Majesty's Justices of the Peace within the Jurisdiction aforesaid, on the Conviction of any Person or Persons, for any Offence or Offences committed contrary to the true Intent and Meaning of this Act, the Forfeiture not being paid, to issue a Warrant or Warrants under his Hand and Seal, or their Hands and Seals respectively, to any Peace Officer or Peace Officers within their respective Jurisdictions, empowering him or them to make Distress of the Goods and Chattels of the said Offender or Offenders for the Sum to be levied by any such Warrant, and to cause such Goods and Chattels, after five Days from the Distress taken, to be appraised and sold, rendering the Overplus, if any, after deducting the Forfeiture, and Costs and Charges of the Distress and Sale, to the Owners or Owner; which Charges shall be ascertained by the Justice of Peace before whom such Offender or Offenders shall have been so convicted; and that one Moiety of all such Forfeitures, when recovered, shall be paid to the Informer, and the other Moiety thereof shall go and be paid to and for the Use of the Poor within the said Borough of *Saint Ives*: And if sufficient Distress or Distresses at any Time cannot be found, wherefrom the Money, which shall be forfeited by any Offender or Offenders against this Act, can be levied on his, her, or their Goods and Chattels, then, and in any such Case, every such Offender or Offenders shall, by Warrant under the Hand and Seal or Hands and Seals of such Justice of the Peace as aforesaid, be apprehended, if he, she, or they, can be found, and be committed to the House of Correction

tion for the said Borough of *Saint Ives*, there to remain and be kept to hard Labour for any Time not exceeding three Months, as such Justice shall order, unless the Money, which shall be forfeited by such Offender or Offenders, shall be sooner paid.

XLI. And whereas it may happen that the Mayor and Justices of the said Borough of *Saint Ives* may be interested in the Penalties and Forfeitures to be incurred by Disobedience to this Act, be it therefore enacted, That, in all such Cases, any Justice or Justices of the Peace for the County of *Cornwall* shall have the like Jurisdiction, and the like Power and Authority, as by this Act is given to the Mayor or any Justice of the Peace for the said Borough of *Saint Ives*.

Justices for the County, in certain Cases, may put this Act in Execution.

XLII. And it is hereby further enacted, That, in case any Person or Persons, against whom any Warrant or Warrants shall be issued by the said Mayor or Justice of Peace, either before or after Conviction as aforesaid, for any Offence against this Act, shall escape, go into, reside, or be in any other County, Riding, Division, City, Liberty, Town, or Place, out of the Jurisdiction of such Person granting such Warrant or Warrants as aforesaid; or if the Goods and Chattels of any Offender, convicted of any Offence in pursuance of this Act, shall be in a different County, Riding, Division, City, Liberty, Town, or Place, than where the said Party was convicted, or the Warrant of Distress granted, it shall and may be lawful for the said Mayor or Justice of the Peace so granting such Warrant or Warrants, or any Justice of the Peace of the County, Riding, Division, City, Liberty, Town, or Place, into which such Person or Persons shall escape, either before or after Conviction, or where his, her, or their Goods and Chattels shall be; after such Conviction; and they, and every of them, are hereby required, upon Proof made upon Oath of the Hand-writing of the said Mayor or Justice granting such Warrant or Warrants, to indorse his or their Name or Names on such Warrant; and the same, when so indorsed, shall be a sufficient Authority to all Peace-officers to execute such Warrant or Warrants in such other County, Riding, Division, City, Town, or Place, out of the Jurisdiction of the Person granting the said Warrant or Warrants; and the said Mayor and Justices respectively, or any of them, as the Case shall happen, after indorsing the said Warrant, may, on the Offender or Offenders being apprehended and brought before the said Mayor or Justices, or any one of them, within their respective Jurisdictions, direct the Offender to be carried to the Person who granted the said Warrant or Warrants, to be dealt with according to Law.

How Mayor or Justices to proceed, in case Offender escapes into another County, &c.

XLIII. Provided always, and be it further enacted, That no Person or Persons shall be punished for any Offence against this Act, unless a Prosecution shall be commenced against him or them for the same within two Months after every such Offence shall be committed; and that, where any Person or Persons shall be committed to any House of Correction for Default of Payment, or for Want of sufficient Distress being met with to answer any Penalty incurred by any Offence against this Act, and shall remain there during the Time for which he, she, or they, shall be so committed, no such Person or Persons shall be liable afterwards to be prosecuted again for Non-payment of such Money forfeited.

Prosecutions to be commenced within 2 Months after Offence committed.

XLIV. Provided also, That the Mayor of the said Borough of *Saint Ives* for the Time being, and any Justice of the Peace before whom any Offender shall be brought and convicted of any Offence against this Act, shall and may, from Time to Time, as he or they shall see Occasion, mitigate any of the Penalties under the Sum of ten Pounds hereby inflicted; and every such Mitigation shall be a sufficient Discharge to the Person offending for so much of the Penalty under the Sum of ten Pounds as shall be so mitigated.

Small Penalties may be mitigated.

XLV. And be it further enacted by the Authority aforesaid, That the Mayor of the said Borough of *Saint Ives* for the Time being, and the Justice or Justices before whom any Person or Person shall be convicted by virtue of this Act, shall cause such respective Conviction to be drawn up in the Form or to the Effect following; (that is to say)

How Justices to proceed for Conviction of Offenders.

To wit, ³ BE it remembered, That, on this _____ Day of _____ in the _____ Year of the Reign of _____ of _____ one of his Majesty's Justices of the Peace for the County of _____ or Borough of _____ [as the Case shall be] for _____ and _____ do adjudge him, her, or them, [as the Case shall be] to pay and forfeit the Sum of _____ Given under my Hand and Seal, the Day and Year above said.

Form of Conviction.

XLVI. Provided further, and be it also enacted, That it shall be lawful for any Person or Persons, who shall think him, her, or themselves aggrieved by the Conviction of any Justice of the Peace for the Borough of *Saint Ives*, for any Offence committed against this Act, to appeal to the next General or Quarter Session to be holden for the Borough of *Saint Ives*; and for any Person or Persons, who shall think him, her, or themselves aggrieved by the Conviction of any Justice of the Peace for the County of *Cornwall*, for any Offence committed against this Act, to appeal to the Justices of the Peace for the County of *Cornwall*, at the next General or Quarter Sessions; the Person or Persons so appealing, first entering into a Recognizance, in double the Sum of Money forfeited, before such Justice of Peace as aforesaid, to prosecute such Appeal with Effect, and abide by the Order or Orders which shall be made on such Appeal, and giving eight Days Notice in Writing of every such Intention to appeal to the Party or Parties on whose Prosecution any such Conviction was made: And the Justices of the said Borough and County, as the Case shall happen to be, are hereby authorized and required, in their next General Quarter Session after any such Appeal shall be made, to hear and determine the Matter of every such Appeal; and to make such Order, and to award such Costs and Damages, as to them in their Discretion shall seem reasonable; and to levy, by their Order or Warrant, the Costs which shall be so awarded, together with such Money as they shall adjudge to be forfeited; 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 the Party or Parties

Persons aggrieved may appeal to the Quarter Sessions.

who may hear and determine the Matter of such Appeal.

Their Order to be final.

Limitation of Actions.

General Issue.

Treble Costs.

Public Act.

to the common Gaol or Prison for the said Borough of *Saint Ives*, there to remain and be kept to hard Labour for the Space of six Calendar Months, unless the Money, which shall be adjudged to be forfeited, as well as the Costs ordered to be paid, shall be sooner paid; and such Order of such Justices, at their General or Quarter Sessions, shall be final, and shall not be removeable by *Certiorari* or otherwise.

XLVII. Provided likewise, and be it also enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within six Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County, City, or Place, in which such Offence shall be committed, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit so to be brought, shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time limited for bringing the same as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his Action 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 be paid Treble Costs, and have such Remedy for Recovery of the same, as any Defendant or Defendants hath or may have in any Case to recover his, her, or their Costs by Law.

XLVIII. And be it further enacted, That this Act shall be adjudged, 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 specially pleading the same.

C A P. XXXVII.

An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*, and to the Island of *Saint Helena*, and to the other Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, and of Biscuit and Pease to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*; and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles.

Preamble.
Act 13 Geo. III.
recited.

WHEREAS by an Act of Parliament, made in the thirteenth Year of his Majesty's Reign, (intituled, *An Act to regulate the Importation and Exportation of Corn*;) whenever the Prices of certain Species of *British* Corn or Grain exceed the Prices therein limited, the Exportation thereof from this Kingdom is prohibited under certain Penalties in the said Act mentioned, except in particular Cases allowed by that and several subsequent Acts of Parliament: And whereas certain Quantities of Wheat, Meal, Flour, Bread, and Biscuit, which were allowed to be exported to the *British* Sugar Colonies in *America*, for the Sustenance and Use of the Inhabitants of the said Colonies, and certain Quantities of Biscuit and Pease allowed to be exported to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there, by two several Acts of Parliament, made in the fourteenth Year of the Reign of his present Majesty, the one intituled, *An Act to allow the Exportation of Corn, Grain, and other Articles, to his Majesty's Sugar Colonies in America; and to extend the Provisions of an Act, made in the last Session of Parliament, (intituled, "An Act to regulate the Importation and Exportation of Corn,") allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Islands of Guernsey and Jersey, to Bread, Biscuit and Pease; and to allow the Exportation of all the said Articles to the Island of Alderney; and the other intituled, *An Act to allow the Exportation of a limited Quantity of Biscuit and Pease to the Island of Newfoundland, for the Benefit of the British Fishery there;* have been rendered insufficient by the Interruption which has been given to Trade, and the Troubles and Disturbances which are still subsisting in many of the Colonies in *North America*, and the Inhabitants of the said Sugar Colonies, and the *British* Subjects carrying on the Fishery at *Newfoundland*, and at other Parts in *America*, may be put under great Difficulties and Distress at this Time, without farther Supplies from this Kingdom: May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to ship and export, from the Ports of *London*, *Bristol*, *Liverpoole*, and *Glasgow* only, any Quantity of Wheat, Wheat Flour, Bread, Biscuit, and Meal; that is to say, Not exceeding in the Whole, from the Port of *London*, fifty thousand Quarters; from the Port of *Bristol* twenty thousand Quarters; from the Port of *Liverpoole*, twenty thousand Quarters; and from the Port of *Port Glasgow*, ten thousand Quarters; at any Time or Times before the First Day of *January* one thousand seven hundred and seventy-seven, to his Majesty's Sugar Colonies in *America*, for the Sustenance and Use of the Inhabitants of the said Colonies: And that it shall and may be lawful to ship and export Biscuit and Pease, out of and from the several Ports in this Kingdom herein after mentioned, to the several Places herein after named, for the Benefit of the *British* Fishery carried on in those Parts, so as the same do not exceed the several Quantities respectively limited to those Places, any Thing in the said recited Acts, or either of them, to the contrary notwithstanding; (that is to say)*

Certain Quantities of Wheat, Bread, &c. allowed to be exported from *London*, *Bristol*, *Liverpoole*, and *Glasgow*.
Certain Quantities of Biscuit and Pease allowed to be exported to *Newfoundland*, &c. for the Benefit of the Fishery, from the Ports herein after mentioned.

From the Port of *London*,

To the Island of *Newfoundland*, two hundred and fifty Tons of Biscuit, and three hundred Quarters of Pease.—To *Nova Scotia*, two hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Bay Chaleur*,

Chaleur, two hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Labrador*, two hundred Tons of Biscuit, and three hundred Quarters of Pease.

From the Port of *Bristol*,

To *Newfoundland*, two hundred Tons of Biscuit, and two hundred and fifty Quarters of Pease.—To *Nova Scotia*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.—To *Bay Chaleur*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.—To *Labrador*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.

From the Port of *Poole*,

To *Newfoundland*, three hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Nova Scotia*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.—To *Bay Chaleur*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.—To *Labrador*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.

From the Port of *Dartmouth*,

To *Newfoundland*, three hundred and fifty Tons of Biscuit, and three hundred and fifty Quarters of Pease.—To *Nova Scotia*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.—To *Bay Chaleur*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.—To *Labrador*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.

From the Ports of *Topsham* and *Tingmouth*, within the Port of *Exeter*, not exceeding in the Whole from both Places,

To *Newfoundland*, four hundred Tons of Biscuit, and six hundred Quarters of Pease.—To *Nova Scotia*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.—To *Bay Chaleur*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.—To *Labrador*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.

From the Port of *Liverpoole*,

To *Newfoundland*, one hundred and fifty Tons of Biscuit, and one hundred and thirty Quarters of Pease.

From the Port of *Weymouth*,

To *Newfoundland*, sixty Tons of Biscuit, and one hundred and twenty Quarters of Pease.

From the Port of *Chester*,

To *Newfoundland*, one hundred Tons of Biscuit, and one hundred and twenty Quarters of Pease.

‘ II. And whereas by an Act, passed in the thirteenth Year of his present Majesty’s Reign, (intituled; *An Act to regulate the Importation and Exportation of Corn*) it was (among other Things) enacted, That nothing therein contained should extend to prohibit the Exportation from the Port of *London*, to the Island of *Saint Helena*, of any Quantity of Wheat, Meal, Flour, Rye, Barley, or Malt, not exceeding five hundred Quarters in the Whole, for the Sustenance and Use of the Inhabitants thereof, under the Restrictions and upon the Conditions therein mentioned: And whereas the said Quantity of five hundred Quarters of Wheat, Meal, Flour, Rye, Barley, or Malt, is not sufficient for the necessary Use and Consumption of the said Island of *Saint Helena*, and for the United *East India* Company’s Settlements in the *East Indies*;’ be it therefore enacted by the Authority aforesaid, That, from and after the passing of this Act, it shall be lawful for the said United Company to export annually from *Great Britain* to the said Island of *Saint Helena*, *Bencoolen*, and to their Settlements in the *East Indies*, or any of them, any Quantity of Wheat, Wheat Meal, Flour, Rye, Barley, or Malt, not exceeding one thousand Quarters in the Whole, under the Restrictions and upon the Terms and Conditions in the said recited Act provided and contained, as respecting the Quantity of Wheat, and other Articles, thereby allowed to be exported to the said Island of *Saint Helena*; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That the said Articles exported as aforesaid, in pursuance of this Act, shall be subject to the like Securities at the respective Ports from whence they are exported, that the same shall not be landed or sold in any Parts whatsoever other than the respective Places for which the same shall be entered and declared for Exportation, and in all other respects not altered by this Act shall be liable to such and the like Rules, Restrictions, and Regulations; and the Persons granting or making any false Certificate, or counterfeiting, erasing, or falsifying any Certificate, or knowingly publishing such Certificate so counterfeited, erased, or falsified, shall be subject to the same Disabilities, Penalties, and Forfeitures, as are respectively prescribed and directed by the said recited Acts, made in the fourteenth Year of his Majesty’s Reign; which Penalties and Forfeitures shall and may be sued for, prosecuted, and recovered, and applied, in the Manner directed by those Acts.

‘ IV. And whereas his Majesty, by an Order in Council, bearing Date the thirtieth Day of *June* last, was pleased to order that a Quantity of Biscuit, not exceeding one thousand Tons, should be allowed to be exported to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*, from the Date thereof, until the twenty-fourth Day of *July* following, which Time was afterwards prolonged by his Majesty’s further Order in Council, bearing Date the eleventh Day of *August* last; and his Majesty, by another Order in Council, bearing Date the twelfth Day of *July* last, was pleased to order that two hundred Tons of Biscuit should be allowed to be exported to *Newfoundland*, from the Port of *Liverpoole*; and also that fifty Tons of Biscuit, and one hundred Quarters of Pease, should be allowed to be exported from the Port of *Weymouth*; and likewise two hundred Quarters of Pease from the Port of *Poole*; which said Orders could not be justified according to the strict Forms of Law, and yet were so much for the Service of the Public, and so necessary for the Safety and Preservation of his Majesty’s Subjects in those Parts, that the same ought to be justified by Act of Parliament; and all Persons advising, acting under, or in

East India Com-
pany empowered
to export an-
nually 1000
Quarters of
Wheat, Flour,
&c. from Great
Britain to Saint
Helena, Ben-
coolen, &c.
The said Arti-
cles to be subject
to the like Se-
curities, &c. on
Exportation, as
directed by Act
14 Geo. III.

Clause for indemnifying all Persons advising or executing certain Orders of Council for allowing Exportation of Biscuit, &c.

'Obedience to the same indemnified; be it therefore enacted by the Authority aforesaid, That all and every Person and Persons who have or shall have acted or done any Thing in advising or executing the said Orders of Council, or touching or concerning the same, or relating thereto, shall be and are hereby saved harmless, discharged, acquitted, released, and indemnified in that Behalf, as well against the King's Majesty, his Heirs and Successors, as against all and every other Person and Persons; and all Suits and Proceedings for any Manner of Thing discharged by this present Act, shall be utterly void and of none Effect, to all Intents and Purposes; any Law, Statute, or Usage, to the contrary notwithstanding.

C A P. XXXVIII.

An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.

Preamble.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can, and many of them are able to serve his Majesty by Sea or Land, yet are detained in Prison by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas such unhappy Debtors have always been deemed the proper Objects of public Compassion, and, by several Acts of Parliament, have been discharged on the Conditions in such Acts mentioned; for the Relief, therefore, of Insolvent Prisoners and Fugitives, who shall comply with the Terms contained in this Act, to be respectively observed by them, and faithfully discover upon Oath, and deliver up and assign all their Effects and Estates whatsoever, for the Benefit of their Creditors, and to prevent, as far as possible, the many Frauds and Abuses, which, in a great Measure, have obstructed the good Ends of such Acts; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every Gaoler or Keeper of any Prison, in any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, shall, is, and are hereby required to make a true, exact, and perfect List, alphabetically, of the Name or Names of all and every Person or Persons, who, upon the twenty-second Day of *January*, one thousand seven hundred and seventy-six, was or were, or at any Time since have been, under the Terms and Conditions herein mentioned, and at the Time of making out every such List shall be, really an actual Prisoner or Prisoners, in the Custody of any Gaoler or Gaolers, Keeper or Keepers of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, Contempt or otherwise; and an Account of the Time when such Prisoner or Prisoners was or were respectively charged in Custody, or received in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices of the Peace, at their first or second General Quarter Sessions of the Peace, to be held after the passing of this Act, or at some Adjournment thereof, for such County, Riding, Division, City, Town, Place, or Liberty respectively.

II. And be it further enacted, That the Warden of his Majesty's Prison of the *Fleet*, and Marshal of the *King's Bench Prison*, shall severally, on the delivering in of any such List of Prisoners in their respective Custody, take an Oath, in the open Court of such General Quarter Session of the Peace, or at some Adjournment thereof, to the Effect following; (that is to say)

Alphabetical Lists to be made out of Prisoners in Custody for Debt on Jan. 22, 1776, or since that Date;

with the Time when charged, and at whose Suit. Lists to be delivered to the Quarter Sessions, Warden of the Fleet, &c. to take an Oath on delivering in Lists.

The Oath.

'*A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names is or are inserted and contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-second Day of *January*, one thousand seven hundred and seventy-six, really and truly Prisoners, in actual Custody, in the Prison or Gaol of [*insert the Name of the Prison*], at the Suit or Suits of the several Person or Persons therein respectively mentioned; and also, that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List, now by me delivered in and subscribed as aforesaid, have, since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, been committed or surrendered to the said Gaol or Prison of [*insert the Name of the Gaol or Prison,*] at the Suit or Suits of the several Person or Persons therein respectively mentioned; except such Person or Persons who is or are in such List particularly mentioned and described to have died, been discharged, or removed to some other Prison, by Process of Law, since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six; and also except such Person or Persons, who is or are in such List particularly mentioned and described to have gone out of the said Prison, by Day-rules of the Court of [Common Pleas, or King's Bench, *as the Case shall be*], since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, to transact their Affairs; and also except such Person or Persons who is or are therein also particularly mentioned and described to have, upon the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, or since, been in the Rules of the said Prison of the [*Fleet*, or King's Bench, *as the Case shall be,*] by Leave of the [Warden or Marshal of the said Prison, *as the Case shall be*]; and have, to the best of my Knowledge and Belief, really and truly, ever since, continued and remained in actual Custody in the said Prison, of the [*Fleet*, or King's Bench, *as the Case shall be*], or the Liberties thereof, at the Suit or Suits of the several Persons in the said List respectively mentioned; [*and if any Prisoner or Prisoners hath or have, since the said twenty-second Day of January, one thousand seven hundred and seventy-six, escaped out of either of the said Prisons, then insert*], except [*insert the Name or Names of the Prisoner or Prisoners who have escaped*], who, without my Knowledge, Privity, or Consent, hath or have escaped

‘ escaped out of the said Prison of _____ and that the
 ‘ said List is a true, exact, perfect, and just List of all such Persons who were really and truly Prisoners
 ‘ in actual Custody in the said Gaol or Prison of _____ on the said twenty-second
 ‘ Day of *January*, one thousand seven hundred and seventy-six, and who, since the said twenty-second
 ‘ Day of *January*, one thousand seven hundred and seventy-six, have been committed to, and really have
 ‘ been, and now is or are, Prisoner or Prisoners, in actual Custody, in the said Gaol or Prison of _____
 ‘ or the Liberties thereof; and that none of such Prisoners, to
 ‘ my Knowledge, or with my Privity, have voluntarily, or with Design, or in Expectation to take any
 ‘ Benefit from or under any Act of Parliament, to be made for Relief of Insolvent Debtors, surrendered
 ‘ themselves, or been committed to the said Prison, or got their Names entered as Prisoners in the Books
 ‘ of the said Prison, or since the said twenty-second Day of *January*, one thousand seven hundred and
 ‘ seventy-six, to my Knowledge, or with my Privity, have resided out of the said Prison of _____
 ‘ or the Rules thereof, [*but if any have so done, add, except naming such by Name*].’

And that every other Gaoler and Keeper of any other Prison or Prisons, in any County, City, Town, Riding, Division, Place, or Liberty, shall severally, on the delivering in of any such List respectively, take an Oath, in the open Court of the General Quarter Sessions of the County, City, Town, Division, Liberty, or Place, for which he or she shall deliver in any such List, and swear to the Effect following (that is to say):

All other Gaolers on delivering in their Lists, to take the following

‘ **I** *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and
 ‘ declare, That all and every Person and Persons, whose Name or Names are inserted or contained in
 ‘ the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Know-
 ‘ ledge and Belief, upon the twenty-second Day of *January*, one thousand seven hundred and seventy-six,
 ‘ really and truly Prisoners in actual Custody, in the Prison or Gaol of _____ at the Suit or
 ‘ Suits of the several Persons therein respectively mentioned; and also that all and every Person and Per-
 ‘ sons, whose Name or Names is or are inserted or contained in the second Part of the said List now by
 ‘ me delivered in and subscribed, as aforesaid, have, since the said twenty-second Day of *January*, one
 ‘ thousand seven hundred and seventy-six, been committed or surrendered to the said Gaol or Prison of _____
 ‘ [*if any such Prisoner or Prisoners hath or have, since the said twenty-second Day of Ja-*
 ‘ *nuary, one thousand seven hundred and seventy-six, been committed or surrendered to such Gaol or Prison*], at
 ‘ the Suit or Suits of the several Person or Persons therein respectively mentioned, except [*if any Excep-*
 ‘ *tion is necessary*] such Persons as are therein particularly mentioned and described to have died, been dis-
 ‘ charged, or removed to some other Prison by Process of Law, or to have escaped out of such Prison,
 ‘ without my Privity, Knowledge, or Consent, since the said twenty-second Day of *January*, one thou-
 ‘ sand seven hundred and seventy-six; and that all and every of them, whose Name and Names is and are
 ‘ contained in the first Part of the said List (except as before excepted) to the best of my Knowledge and
 ‘ Belief, have really and truly continued in actual Custody in the said Gaol or Prison of _____
 ‘ ever since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, and that
 ‘ the said List is a true, exact, perfect, and just List of all such Persons as were really and truly Prisoners
 ‘ in actual Custody, in the said Gaol or Prison of _____ on the said twenty-second Day of
 ‘ *January*, one thousand seven hundred and seventy-six, and who, since the said twenty-second Day of
 ‘ *January*, one thousand seven hundred and seventy-six, have been really and truly committed, or sur-
 ‘ rendered to the said Gaol or Prison of _____ (except as before excepted) to the best of my
 ‘ Knowledge and Belief; and that none of such Prisoners, to my Knowledge, or with my Privity, have
 ‘ voluntarily, or with Design, or in Expectation, to take any Benefit from or under any Act of Parlia-
 ‘ ment to be made for Relief of Insolvent Debtors, surrendered or been committed to the said Prison of _____
 ‘ or got his, her, or their Name or Names entered as Prisoner or Prisoners in the Books
 ‘ of the said Prison, or, since their Commitment, have to my Knowledge, or with my Privity, resided
 ‘ out of the said Prison of _____ [*if any have so done, then add, except inserting their*
 ‘ *Names*].’

Oath.

Which said respective Oaths the said Justices, at the first or second General Quarter Sessions aforesaid, or at some Adjournment thereof, within their respective Jurisdictions, are hereby impowered and required to administer in open Court: And the Words of the said Oath herein-before directed to be taken by the said Warden and Marshal respectively, shall be entered or written at the End or Bottom of the List which shall be delivered in by them respectively, and shall be subscribed and sworn to by them respectively in open Court; and the Words of the Oath to be taken by every such Gaoler or Keeper respectively shall be entered or written at the End or Bottom of the List which shall be delivered by them respectively, and shall be subscribed and sworn to by them respectively in open Court: And every such List which shall be so delivered in, subscribed and sworn to, in pursuance of this Act, shall be kept by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every such County, Riding, Division, City, Town, Place, or Liberty respectively, in which any such List as aforesaid shall be sworn to, for the better Satisfaction of the said Justices, and Information of all or any Prisoner or Prisoners therein named; and so as the same may, from Time to Time, be seen and examined by any Creditor or Creditors of Prisoner or Prisoners, without Fee or Reward.

Oaths to be administered by the Justices in Court, and entered and subscribed at the Bottom of the Lists.

Lists to be kept by the Clerk of the Peace.

III. And be it further enacted by the Authority aforesaid, That all and every Gaoler and Gaolers, and Keeper of any Gaol or Prison, is and are hereby required, ten Days at least before the first or second General Quarter Sessions of the Peace shall be held, after the passing of this Act, for the County, Riding, Division,

Three Copies of Lists to be fixed up in each Prison, &c.

Division, City, Town, Place, or Liberty, in which any Gaol or Prison shall be, or to which the same belong, to fix up, in some conspicuous Place or Places in every such Prison, and at the most frequented and usual Gate, Door, or Entrance, into every such Prison, three or more true Copies of the List or Lists proposed or intended to be delivered in by any such Gaoler or Keeper at the said General Quarter Sessions, or at some Adjournment thereof.

Persons inserted in the Lists being Prisoners, without a fraudulent Intention, on Jan. 22, 1776,

and conforming to this Act, shall be discharged.

Persons arrested for Debt, and held to Bail, on or before Jan. 1, 1776, surrendering themselves on or before June 25, 1776, and conforming to this Act, shall be discharged.

Justices, on Petition of any Prisoner, and his delivering a Schedule of his Estate,

may issue their Warrant for bringing him to the Quarter Sessions, &c.

with the Warrant of his Detainer, &c.

Schedule of the Prisoner's Estate to be transmitted to the Clerk of the Peace, for Inspection of Creditors. Any Justice, omitting for ten Days to transmit a Copy of the Schedule to the Clerk of the Peace, &c. shall forfeit 10l.

Prisoners intending to petition for their Discharge, are to give previous Notice thrice in the Gazette, &c.

Contents of the Notice.

IV. And be it further enacted, That all and every Person and Persons, whose Name or Names shall be inserted in any such List to be delivered in as aforesaid, who, upon the said twenty-second Day of January, one thousand seven hundred and seventy-six, were really and truly Prisoners in the actual Custody of any Gaoler or Gaolers, or Keeper of any Prison respectively of this Kingdom, and did not come into or get his, her, or their Names entered in the Book of any Gaol or Prison as a Prisoner or Prisoners there, with a View or Design to take the Benefit of some Act for Relief of Insolvent Debtors, and who shall take the Oath herein-after mentioned, and shall perform, on his or her Part, what is required to be done by him or her by this Act, shall be for ever released and discharged from his or her Imprisonment, in such Manner as hereafter is provided.

V. Provided always, and be it enacted, That any Person or Persons who shall have been arrested and in actual Custody of an Officer, for any Sum or Sums of Money by virtue of any Writ or Process, issuing out of any Court of Record, and held to Bail thereon, on or before the first Day of January, one thousand seven hundred and seventy-six, and who shall, on or before the twenty-sixth Day of June, one thousand seven hundred and seventy-six, surrender him, her, or themselves, in Discharge of his, her, or their Bail, and shall thereupon be committed to Prison, every such Person or Persons shall, upon due Proof of the Premises upon Oath, be discharged from his, her, or their Debts and Imprisonment, in like Manner as if such Person or Persons had been actually in Prison on the twenty-second Day of January, one thousand seven hundred and seventy-six; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before imposed upon Persons actually in Custody on the twenty-second Day of January, one thousand seven hundred and seventy-six, and also subject to the same Terms and Condition relating to the Estate and Effects of every such Prisoner as aforesaid.

VI. And be it further enacted, That it shall and may be lawful for any Justice or Justices of the Peace of any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any such Prisoner or Prisoners to any Justice or Justices of the Peace, within his or their respective Jurisdictions, upon every such Prisoner or Prisoners so petitioning, and at the Time of his or her so petitioning, leaving with the Justice or Justices of the Peace who shall be so petitioned, a true Copy of the Schedule, containing his or her intended Discovery of his or her Real and Personal Estate, to be sworn to at the first or second General Quarter Session next ensuing after every such Petition, or some Adjournment thereof, by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any such Prison within the Jurisdiction of any such Justice or Justices, to bring before the Justices, at the first or second next General Quarter Session of the Peace, or any Adjournment thereof to be held, as the Case shall happen to be, next after the Expiration of ten Days from the Date of such Warrant, for such respective County, Riding, Division, City, Town, Place, or Liberty, the Body of any Person being in the said Prison as aforesaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cause or Causes which he, she, or they, is or are charged with in any such Gaol or Prison as aforesaid, at the Time aforesaid; which Warrant of every such Justice or Justices, every such Sheriff and Sheriffs, Gaoler, or Keeper, is and are hereby commanded to obey.

VII. And be it also enacted, That the Copy of every Schedule which shall be left with any such Justice or Justices, shall, within ten Days after the same shall be so left, be transmitted by the Justice or Justices, with whom the same shall be so left, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, in which the same shall have been so left, there to remain and be inspected, from Time to Time, as Occasion shall require, by any Creditor of any such Prisoner who shall desire to inspect the same.

VIII. And be it also enacted, That every such Justice or Justices who shall refuse or omit, for the Space of ten Days, to transmit the Copy of the Schedule so left with him as aforesaid, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, Riding, Division, City, Town, Place, or Liberty, in which the same shall have been so left, shall, for every such Offence, forfeit and pay the Sum of ten Pounds; which shall and may be sued for and recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, together with Costs of Suit, in the Name of any Person who shall prosecute for the same; and one Moiety of which Money forfeited shall, when recovered, go to the Party who prosecutes for the same, and the other Moiety thereof to the Poor of the Parish in which the Offence shall be committed.

IX. And be it further enacted, That all and every Prisoner and Prisoners, who shall intend to petition to be discharged under this Act, as aforesaid, shall first cause public Notice to be inserted in three several London Gazettes, previous to such General Quarter Session, and the Adjournment thereof, at which the said Prisoner or Prisoners shall apply to be discharged from any Gaol in London, or within the weekly Bills of Mortality; and if such Prisoner shall be in Custody in any Gaol out of London, or the weekly Bills of Mortality, then also in some Newspaper which shall be published in or near the County, Riding, Division, City, Town, Place, or Liberty, in the Gaol whereof he or she shall be so in Custody; containing the Name, Trade, and Occupation, and two last Places of Abode, if so many, of every such Prisoner and Prisoners, and the Prison wherein he, she, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act; and mentioning such Notice in each Gazette or Newspaper, to be

the first, second, or third Notice, according to the Time of publishing each of such Notices; and for the inserting of each of which said several Notices in the said *Gazette*, or in any other Newspaper, there shall be paid, each Time, by every such Prisoner, Two-pence, and no more: The first of which said Notices shall be so inserted in the said *Gazette*, or in the said other Newspapers, as the Case may require, thirty Days at least, and the last of the said Notices, ten Days at least, before any such first or second General Quarter Session, and Adjournment thereof, shall be held as aforesaid; so that as well all the Creditors who have not charged the said Prisoner or Prisoners in Custody, as those Creditors who have charged such Prisoner or Prisoners in Execution, or on mesne Process, or otherwise, may have sufficient Notice thereof.

X. And, to the Intent that all Creditors may have full and sufficient Time to consider the Matters and Things contained in the Schedule or Schedules intended to be delivered in by any Debtor or Debtors, be it further enacted, That every such Debtor, when he or she shall (according to the Directions of this Act) publish the first Notice of an Intention to petition for his or her Discharge, he or she shall, in such Notice, declare that the Schedule, containing his or her intended Discovery of his or her real and personal Estate, (to be sworn to in Manner as by this Act directed) is lodged in the Hands of the Gaoler or Keeper, or the Deputy of such Gaoler or Keeper, of the Prison wherein any such Prisoner shall be confined; and every such Prisoner is hereby directed and required to deliver such Schedule to such Gaoler, Keeper, or Deputy, as the Case may be, before he shall publish such first Notice as aforesaid, signed by his or her own Christian and Surname, to be attested by any such Gaoler, Keeper, or Deputy; and in case any Prisoner shall neglect or refuse to deliver one such Schedule to such Gaoler, Keeper, or Deputy, prior to such his first Notice to be given as aforesaid, he or she, upon due Proof made of such Neglect to the Satisfaction of the Court to which such Prisoner shall make Application for his Discharge, shall be remanded back to Prison, there to remain till he or she shall have complied with the Directions aforesaid: And every such Gaoler, Keeper, or Deputy, is hereby directed and required to attest the Signature of the Prisoner's Name to such Schedule, and to receive the same into his Custody and Charge, giving a Duplicate thereof to every such Prisoner, with an Acknowledgment of his having received the Original; and he is hereby further required to deliver a true Copy of any such Schedule, signed by himself, upon Request made to him by any Creditor for that Purpose, in Writing; such Copy to be delivered to the Creditor himself, or to such Person as he shall appoint to receive the same, within three Days after Demand made, on Payment for each Schedule after the Rate of Sixpence *per* Sheet, each Sheet to contain seventy-two Words, and so in Proportion for any less Number of Words: And if any such Gaoler, Keeper, or Deputy, shall neglect or refuse to conform to the Directions hereby given him respecting such Schedule, every such Gaoler, Keeper, or Deputy, so offending, shall forfeit and pay the Sum of twenty Pounds, to any Person who shall sue for and recover the same, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt.

XI. And be it further enacted, That the Notices to be given by every Prisoner, in Manner directed by this Act, shall be to the Effect following; *videlicet*,

I, *[insert the Name, Trade, Occupation, and two last Places of Abode, if so many]* now confined in *[insert the Name of the Prison and County]*, do hereby give this Public Notice, being *[insert the First, Second, or Third, as the Case may be]*, that I do intend to take the Benefit of an Act, passed in the sixteenth Year of his present Majesty's Reign (intituled, *An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases*) *[and if it be the First Notice, then add]* and I do hereby give Notice, that a true and perfect Schedule, containing a Discovery of all my Real and Personal Estate, hereafter to be sworn to, is now ready to be delivered to any Creditor applying for the same, in Manner aforesaid, to the Gaoler or Keeper, or his Deputy, of *[insert the Name of the Prison wherein such Prisoner shall be confined, and the County in which it is situate]*:

And every such Notice shall be signed by the Prisoner, and counter-signed by the Gaoler or Keeper, or Deputy of such Gaoler or Keeper, of the Prison wherein such Prisoner shall be confined.

XII. And be it further enacted, That every such Prisoner as aforesaid, who, in pursuance of any such Warrant as aforesaid, shall be brought to the General Quarter Session, or any Adjournment thereof, shall, in case it shall be proved upon Oath, or by producing the said three *Gazettes* and Newspapers before mentioned to the said Justices, at any such Session, or the Adjournment thereof, that such Notices were inserted in the *London Gazette*, and other Newspapers, where required, in Manner as herein before is directed, and that the Person or Persons so petitioning was or were actually a Prisoner or Prisoners on the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, or since, in the Gaol or Prison in which his, her, or their Name or Names is or are specified in the List of Prisoners there delivered in at any such first or second Session, or any Adjournment thereof, as aforesaid, in pursuance of this Act, shall, in open Court, at the said General Quarter Session, or any Adjournment thereof, subscribe and deliver in a true Schedule or Account of all his or her real Estate, either in Possession, Reversion, Remainder, or Expectancy; and also of the Whole of his or her personal Estate, which he or she, or any Person or Persons in Trust for him or her Use, Benefit, or Advantage, is or are seized of, interested in, or intituled to, or was or were in his or her Possession, at any Time since his or her Commitment to Prison, with the Names of his or her several Debtors, and where they respectively live, or may be met with; and the several Sums of Money from them respectively owing, and how the same respectively became due, and are secured; and if by Mortgage, Specialty, Contract, Note, or other Writing, then the Name and Names and Places of Abode of the several Witnesses who can prove such Debts or Contracts (if there be any such), and shall also make Oath and swear to the Effect following; (that is to say,)

s. d. to be paid each Time for inserting Notices. When Notices to be inserted.

Every Debtor to deliver a Schedule of his Estate to the Gaoler, and to declare the same in his first Notice, &c.

On Neglect thereof, to be remanded back to Prison. Gaoler to attest the Prisoner's Signature to his Schedule, and give him a Duplicate thereof; and also to give a Copy to any Creditor who requests it. Gaoler, &c. on Neglect, to forfeit 20 l.

Form of Prisoner's Notice

Notice to be signed by the Prisoner, &c. Prisoner being brought into Court, and Publication of Notices proved, &c.

to deliver in a Schedule of his Estate, Debts, &c.

‘ I A. B.

Prisoner's Oath
on delivering in
the Schedule.

I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, protest, and declare, That on the twenty-second Day of *January*, one thousand seven hundred and seventy-six, I was a Prisoner, or else, [*as the Case may be*] that since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, I have surrendered, or have been committed to the Prison of _____ in Discharge of my Bail, or for Want of Bail [*as the Case shall be*]; and that I was actually arrested, and in the Custody of an Officer, before the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, in the Action or Suit, Actions or Suits, in which I surrendered, or was committed as aforesaid, to the said Gaol or Prison of _____ and that I have, ever since my said Surrender or Commitment, continued a Prisoner within the Prison of _____ in the actual Custody of the Gaoler or Keeper of the said Prison of _____ or within the Liberties thereof, at the Suit of _____ and without any Fraud or Collusion whatsoever; and that the Schedule now delivered by me, and subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery of all the Goods, Effects, and Estates, Real and Personal, either in Possession, Reversion, Remainder, or Expectancy, which I, or any Person in Trust for me, or for my Benefit or Advantage, are seized or possessed of, interested in, or intitled to, or was or were in my Possession at any Time since my Commitment to Prison; and of all Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Use, or to any Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing; and of the Witnesses that can prove such Debts or Contracts [*if any such there be*]; and that neither I, nor any other Person or Persons in Trust for me, or for my Use, have any Lands, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, or Expectancy, other than what are in the said Schedule contained, except wearing Apparel, and Bedding for myself and Family, working Tools, and necessary Implements for my Occupation and Calling, together with a Sum of Money, not exceeding forty Shillings, and these in the Whole not exceeding the Value of twenty Pounds; and that I have not, nor any Body for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Estate, Real or Personal, whereby to secure the same, or to receive or expect any Profit or Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in anywise howsoever.

So help me GOD.

Schedule and
Oath to be sub-
scribed in the
Court, and
lodged with the
Clerk for the
Examination of
Creditors.

Court at the Re-
quest of a Cre-
ditor, may exa-
mine Gaoler,
&c. on Oath.

The Prisoner's
Oath not being
disproved, the
Court is to dis-
charge him.

on his paying a
Fee of 1 s. to
the Gaoler;

who shall be in-
demnified for
the Escape.

Estate and Ef-
fects of the Pri-
soner, upon his
Discharge, to
be vested in the
Clerk of the
Peace,

who is to make
over the same to
the Assignees
named by the
Court;

And the said Schedule and Oath shall be, by every such Prisoner, subscribed in the Presence of the Justices in open Session of the Peace; as hereby is directed, and shall be kept by, and remain with, the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, City, Liberty, Division, Town, or Place, where the same shall be subscribed and taken, for the better Information of all the Creditors of such Prisoner who shall desire, or may have Occasion, to resort thereto; and every such Creditor shall be at Liberty, at reasonable Times in the Day-time, to peruse and examine the same.

XIII. And be it further enacted, That the Justices within their respective Jurisdictions, at any such General Quarter Session, or Adjournment thereof, at the Request of any Creditor or Creditors of any such Prisoner, are hereby authorized to cause the Deputy Warden and Marshal of the *Fleet and King's Bench* Prison, and any other Under Officer, Tipstaff, and Turnkey of any Gaol or Prison, and any other Person, to come before them; and to examine them respectively on Oath, touching any of the Matters contained in any of the Oaths prescribed by this Act to be taken, and the Truth thereof; and if the Oath which shall have been taken in open Court by any Prisoner or Prisoners, shall not be disproved by good Testimony of any credible Person or Persons on Oath, and such Justices, or the major Part of them, present at any such General Quarter Session, shall be satisfied with the Truth of the Oath taken by any such respective Prisoner, then such Justices shall, in such Session, or some Adjournment thereof, command the said Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Prison or Prisons, forthwith to set at Liberty such Prisoner or Prisoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with every such Prisoner at such General Quarter Session, or any Adjournment thereof, in order for his, her, or their Discharge (and which every such Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers, of such Prison or Prisons, is and are hereby authorized to receive and take for every such Order): And every such Order shall be a sufficient Discharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Prison or Prisons, and shall indemnify him or them against any Escape or Escapes, or Action or Actions whatsoever for Escape, which shall or may be brought, commenced, or prosecuted against him or them.

XIV. And be it further enacted by the Authority aforesaid, That all the Estate, Right, Title, Interest, and Trust, of such Prisoner, of, in, and unto, all the real Estate, as well Freehold and Copy as Customary-hold, and to all the personal Estate, Debts, and Effects, of every such Prisoner, shall, immediately after the Discharge of any such Prisoner, be, and the same is hereby vested in the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, of and for the County, Riding, City, Town Corporate, Division, Liberty, or Place, where any such Prisoner shall be respectively discharged; and every such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, is hereby directed and required to make an Assignment and Conveyance of every such Prisoner's Estate and Effects, vested in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, to such Creditor or Creditors of the said Prisoner, as the Justices at any General Quarter Session of the Peace, or at any Adjournment thereof, which shall be held by them within their respective Juris-
tions,

tions, shall order and direct (which Assignment and Conveyance shall be good and effectual in Law, to all Intents and Purposes whatsoever, without being wrote on Parchment or Paper stamped); and to vest the Estates thereby assigned and conveyed in the Party or Parties to whom the same shall be so assigned and conveyed, his, her, and their Heirs, Executors, Administrators, and Assigns, according to the Estate and Interest the Prisoner had therein; and for the preparing, ingrossing, and executing of which Assignment and Conveyance, no Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, shall take any greater Fee than two Shillings; and every such Assignment and Conveyance shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner to whom the same shall be made, and the rest of the Creditors of such Prisoner, in respect or in Proportion to their respective Debts; and every Person or Persons to whom any such Assignment and Conveyance as aforesaid shall be made, is and are hereby fully impowered to sue, from Time to Time, as there may be occasion, in his, her, or their own Name or Names, for the Recovery and Attaining any Estate or Effects of any such Prisoner, and also to execute any Trust or Power vested in, or created for the Use or Benefit of any such Prisoner, but in Trust for the Benefit of him or themselves, and the Rest of the Creditors of every such Prisoner; and to give Discharge and Discharges to any Debtor or Debtors of any such Prisoner, as shall be requisite: And every such Assignee or Assignees shall, with all convenient Speed, after his or their accepting any such Assignment or Conveyance, use his 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 Estates of such Prisoner vested in such Assignee or Assignees; and if any such Prisoner shall be interested in, or intitled to, any real Estate, either in Possession, Reversion, or Expectancy, the same, within the Space of two Months after every such Assignment and Conveyance shall be sold by public Auction, in such Manner, and at such Place, as the major Part of the Creditors of any such Prisoner who shall assemble together, on any Notice in Writing published in the *London Gazette*, or in some Daily Paper, if the Prisoner before his going to Gaol resided in *London*, or in the Weekly Bills of Mortality, and if elsewhere, then in some Newspaper which shall be published in or near the County, Riding, Division, City, Town, Liberty, or Place, in which such Prisoner dwelt before he or she was committed to Gaol, thirty Days before any such Sale shall be made, shall, under his Hand, or their Hands, agree on: And every such Assignee or Assignees, at the End of three Months at farthest from the Time of his or their accepting any such Assignment or Conveyance as aforesaid, shall make a just and fair Dividend of all such Prisoner's Estates and Effects, which shall have been then recovered, amongst his or her Creditors, in Proportion and in regard to each Creditor's respective Debts; but before any such Dividend shall be made, such Assignee or Assignees shall make up an Account of such Prisoner's Estate, and make Oath in Writing, before one or more Justice or Justices of the Peace of the County, Riding, Division, Town, Liberty, or Place, in which any such Prisoner shall have been discharged, that every such Account contains a just and fair 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; and Notice of the making of every such Dividend shall be published in like Manner as a Meeting of the Creditors is herein before directed to be published, thirty Days at least before the same shall be made; and no Creditor shall be allowed to receive any Share of such Dividend, until he shall have made out the Justness and Identity of his respective Debt by Oath, or due Proof in Writing, before some such Justice or Justices: And if any Creditor of such Prisoner shall be dissatisfied with the Reality or Fairness of any Debt claimed by any other Creditor, then the same, at the Request of any such Creditor or Creditors so dissatisfied, shall be examined into by the Justices of the County, Riding, Division, City, Liberty, or Place, in which such Prisoner shall have been discharged, at their next General Quarter Session, and what they shall there determine in the Premises shall be conclusive to all Parties: And if, after Payment of all such Prisoner's Creditors, there shall any of his Estate and Effects remain after Payment of all reasonable Charges, the same shall be paid to such Prisoner, his Executors or Administrators.

XV. And, to the Intent that no Loss may arise to any Creditor or Creditors from any Neglect or Omission in the Schedule not containing the whole of the Estate, Real or Personal, belonging to any Prisoner who shall apply for his or her Discharge, under the Authority of this Act; be it enacted, That all the Estate, whether Real or Personal, which shall belong to any Prisoner or Prisoners, and of which he, she, or they, shall be actually possessed at the Time of making such Schedule, shall be deemed, and taken to be, a Part of the Estate contained in such Schedule, though not inserted therein, and shall in like Manner become vested in the Clerk of the Peace, Town Clerk, or other Officer acting as such, to all Intents and Purposes, as if the same had been contained in such Schedule, and had been delivered into the Court according to the Directions of this Act.

XVI. Provided always, and be it enacted, That in case of the Death or Removal of any Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, in whom the Estate, Right, Title, Interest, or Trust, of any Prisoner or Prisoners, shall have vested by the Authority of this Act; every such Estate, Right, Title, Interest, and Trust, shall become vested in the Successor or Successors to every such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid respectively, as the Case may be, to all Intents and Purposes whatsoever, under the Provisions of this Act.

XVII. Provided further, and be it also enacted, That no Suit in 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 to be given in the *London Gazette* for that Purpose.

XVIII. And be it further enacted by the Authority aforesaid, That the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every respective County, City, and County Town, and County Riding, Division, Cinque Port, Liberty, and Place, with whom any Schedules of the Estates

for which he shall be paid a s.

Assignees impowered to sue, or execute any Trust or Power for the Prisoner, &c.

Assignees to get in the Estate and Effects of the Prisoner, and make Sale, within two Months, of Prisoner's Real Estate, &c.

and make a Dividend within 3 Months;

first making up their Accounts, and verifying them upon Oath.

30 Days Notice to be given of making a Dividend; and none to receive any Share until they have proved their Debts. Debts claimed to be examined into and determined by the Court. Surplus of the Prisoner's Estate to be paid to him, &c.

Creditors not to suffer from any Omission in the Schedule of Prisoner's Estate.

On Death or Removal of any Clerk of the Peace, &c. Prisoner's Estates to become vested in their Successors.

No Suit in Equity to be commenced but by Consent of Majority in Value of Creditors.

Clerk of the Peace to exhibit to the Creditor, or his Attorney, on Payment of 1 s. the Schedule of any Prisoner's Estate:

Attested Copy whereof to be deemed legal Evidence.

Clerk of the Peace refusing to produce such Schedule, or to deliver a Copy thereof, &c.

shall forfeit 10 l. and Treble Costs: One Moiety to the Prosecutor, and the other to the Poor of the Parish.

Assignees of Copyhold or Customary Estates to compound with the Lord of the Manor, and to be admitted Tenants thereupon.

The Prisoner's Right and Interest, &c. only to be affected by this Act.

All Mortgages, &c. to take place preferable to Claims of an inferior Nature.

Powers in Prisoners of leasing Lands, &c. vested in Assignees.

Estates of any Insolvent Debtor or Debtors, Fugitive or Fugitives, shall be left, and his Successors, Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace as aforesaid, shall, on the reasonable Request of any Creditor or Creditors of such Insolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and shew to such Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Estates of any such Insolvent Debtor or Debtors, Fugitive or Fugitives, which shall be left with any such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or his Predecessor in that Office; the Person so requiring to see and peruse any such Schedule, paying or tendering to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whose Custody any such Schedule shall be, or his Deputy, the Sum of one Shilling for his Trouble in searching for, and looking out, such Schedule, and attending whilst the same shall be perused by the Party or Parties requiring to have the same looked out, and to peruse the same: And that a true Copy of every such Schedule, signed by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whose Custody the same shall be, or his Deputy, purporting the same to be a true Copy of such Schedule, without being wrote on stamped Paper (and for which Copy no more shall be paid than Sixpence by the Sheet, each Sheet to contain seventy-two Words, and so in proportion for a less Number of Words), shall, at all Times, be admitted in all Courts whatsoever as legal Evidence of the same: And if any Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, shall, on reasonable Request as aforesaid, neglect or refuse to produce to any such Creditor or Creditors as aforesaid, or his or their Attorney, any such Schedule as aforesaid, and to permit the same to be inspected as aforesaid, in the Day-time, on such Payment or Tender as aforesaid being made to him; or shall ask or take more than after the Rate of Sixpence by the Sheet, each Sheet to contain seventy-two Words, and so in proportion for less than seventy-two Words in a Sheet; or shall refuse to make and deliver a Copy of any such Schedule, on being requested as aforesaid so to make the same, and having the Money tendered to him for Payment of such Copy, after the Rate aforesaid; shall, for every such Offence, forfeit and pay the Sum of ten Pounds; which shall and may be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, together with Treble Costs of Suit, in the Name of any Person who shall prosecute for the same: And one Moiety of which Money forfeited shall, when recovered, go to the Party who prosecuted for the same, and the other Moiety thereof to the Poor of the Parish in which the Offence shall be committed.

XIX. Provided always, and be it enacted, That before such Time as any Assignee or Assignees as aforesaid shall enter on, or take any Profit from, any Copyhold or Customary Estate, as aforesaid, he or they shall agree and compound with the Lord or Lords of the Manor or Manors of whom the same shall be holden, for the Payment of such Fine or Income as, upon any Surrender and Admission thereto, hath heretofore been most usually accustomed to be paid; and that upon every such Agreement or Composition, the said Lord or Lords for the Time being, at the next Court, or some subsequent Court, which shall be holden for the said Manor or Manors, after such Agreement made, shall admit such Assignee or Assignees, Tenant to such Copyhold or Customary Premises, according to the Custom of the said Manor or Manors of which the same shall be holden, for and during such Estate and Interest as the said Prisoner had therein at the Time of his or her being discharged as aforesaid, reserving the Rents, Duties, Heriots, Customs, and Services, payable and to be rendered in respect of the said Copyhold or Customary Premises.

XX. Provided also, That nothing herein contained shall extend to prejudice or affect any Estate or Interest, or Right whatsoever, of any other Person or Persons, other than the said Prisoner or Fugitive, which may be expectant upon, or subject unto, the Estate or Interest of the said Prisoner or Fugitive, hereby vested in the said Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace; but that the Estate, Interest, and Right whatsoever, of every other Person and Persons, shall remain, continue, and be saved to them, in the same Manner as if this Act had not been made.

XXI. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to hinder or prevent any Mortgage or Mortgages upon the Estate of such Prisoner or Prisoners, or any Part thereof, to take place upon the Lands, Tenements, or Hereditaments, comprised in such Mortgage or Mortgages respectively; nor to prevent any Statute-staple, Statute-merchant, Recognizance, or Judgment, acknowledged by or obtained against any such Prisoner or Prisoners, to take Place upon the Lands, Tenements, or Real Estate of such Prisoner or Prisoners; and also where any Inquisition shall have been taken upon any such 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 Discharge shall be given in open Session to any such Person as aforesaid, the Personal Estate of every such Prisoner respectively shall be subject thereto, in the first place, for so much as shall remain due upon such Mortgage, Statute, Recognizance, or Judgment, respectively, in like Manner as such Mortgagees and Creditors, by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, against the Real or Personal Estate of such Prisoner and Prisoners respectively, if this Act had not been made; any Thing herein before contained to the contrary thereof in any-wise notwithstanding.

XXII. And whereas many Persons who may be intitled to, and claim the Benefit of this Act, are seized and possessed of Lands, Tenements, and Hereditaments, to hold to such Prisoners for the Term of their natural Lives, with Power of granting Leases, and taking Fines, reserving small Rents on such Estates, for one, two, or three Lives, in Possession or Reversion, or for some Number of Years determinable upon Lives, which said Powers ought to be executed for the Benefit of the Creditors of such Prisoners; be it therefore enacted by the Authority aforesaid, That in every such Case, all and every the Powers of leasing such Lands, Tenements, and Hereditaments, 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 for the Benefit of all and every the Creditors of such Prisoners as aforesaid.

XXIII. And

XXIII. And whereas, in some Gaols or Prisons in this Kingdom, the Office of Gaoler or Keeper is held in Fee for Life, or otherwise, by Persons who never act as Gaolers or Keepers themselves, or know any thing of the Prisoners therein, but depute or employ some Person or Persons under them as Gaolers or Keepers of such Gaols or Prisons; be it therefore enacted, That, in every such Case, the Person who shall have been actually employed and acted as deputed Gaoler or Keeper of any such Gaol or Prison, at the Time of the delivering in the Lists, hereby directed to be delivered in, of Prisoners in any such Gaol or Prison, at any General Quarter Sessions of the Peace, or some Adjournment thereof, and not the principal Gaoler or Keeper (unless where such principal Gaoler or Keeper shall act as Gaoler or Keeper himself), shall take the Oath herein before appointed to be taken by the Gaoler or Keeper of every such Gaol or Prison.

The acting Gaoler, at the Time of delivering the Lists, only liable to be sworn.

XXIV. And be it enacted by the Authority aforesaid, That the Justices, at any General Quarter Session of the Peace, or Adjournment thereof, to which any Prisoner shall be brought in pursuance of this Act, shall, if required by any Creditor or Creditors of any such Prisoner or Prisoners, who shall oppose his or her Discharge, administer and give to the Gaoler, or the Person who acts as Gaoler or Keeper of any such Prison, at the Time of bringing up any such Prisoner, in order to be discharged under this Act, an Oath to the following Effect; (that is to say,)

Court, on Requisition of a Creditor, to administer an Oath to the Gaoler.

I *A. B.* do swear, That The Oath
the Prison of was really and truly a Prisoner in my Custody, in
to the best of my Knowledge and Belief, at or upon the Twenty-
second Day of *January* one thousand seven hundred and seventy-six; and that the Copy or Copies of
the Cause or Causes of his [or her] Commitment or Detainer, now by me brought with the Body of the
said and produced to this Court, is or are a true Copy or Copies of the Cause
or Causes of such Detainer or Commitment, without any Fraud or Deceit by me, or any other Person
whatsoever, to the best of my Knowledge and Belief.

‘ So help me GOD.’

And if any Person who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, on the said twenty-second Day of *January* one thousand seven hundred and seventy-six, or since, shall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, at the Time any such List as aforesaid is hereby required to be delivered in, then the Justices, at any such Session, or at any Adjournment thereof, may and are hereby required to administer and give to the respective Person or Persons who shall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, and deliver in any such List as aforesaid, at any such General or Quarter Session, or any Adjournment thereof, an Oath, touching the Commitments, or Books of Commitment, of any such Prison, to the Effect following; (that is to say,)

If such Person shall not have been Gaoler on Jan. 22, 1776, then he shall take the following

I *A. B.* do swear, That I have examined the Commitments, or Books kept of or concerning the Com- Oath
mitment, of Prisoners to the Prison of in the [County, Riding, Division,
City, Town, Place, or Liberty of as the Case shall be]; and that I do verily
believe that the said Commitments, or Books of Commitment, are really true, and not fictitious, nor
calculated for this Purpose; and by them it doth appear that was, on the
twenty-second Day of *January* one thousand seven hundred and seventy-six, really and truly a Prisoner
in the actual Custody of the then Gaoler or Keeper, or deputed Gaoler
or Keeper, of the said Prison, without Fraud or Deceit by me, or any other Person or Persons, to my
Knowledge and Belief.

‘ So help me GOD.’

XXV. And, in order to discover any fraudulent Entries or Commitments of Prisoners in any Gaol or Books, be it further enacted by the Authority aforesaid, That the Justices, at any General or Quarter Session of the Peace, or any Adjournment thereof, are hereby authorized, at the Request of any Creditor or Creditors of any Prisoner, to convene before them, at some certain Time to be appointed by them, any Person or Persons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Prison within their respective Jurisdictions, on the said twenty-second Day of *January* one thousand seven hundred and seventy-six, or at any Time since; and to examine every such Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Custody of any such Prisoner, as the Justices, at any such General or Quarter Session, or Adjournment thereof, shall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to bring before such Justices, at any Session of the Peace, or Adjournment thereof, any Prisoner as shall be directed and required by Warrant of any Justice or Justices as aforesaid, or to attend on being summoned for that Purpose; or if any Gaoler or Keeper attending, shall refuse to make Answer and Discovery in the Premises, as shall be reasonably required at such General or Quarter Session, or any Adjournment thereof, he, she, or they, so offending in the Premises, shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds; to be recovered, by and in the Name, and for the Use, of the Party injured, by Action of Debt, to be brought in his or her Name, in any of his Majesty's Courts of Record at *Westminster*, together with Treble Costs of Suit.

Court, at the Request of a Creditor, may summon the Person who acted as Gaoler on Jan. 22, 1776, or since, and examine him, on Oath, &c. Sheriff or Gaoler, disobeying Order of Court, to forfeit 100^l. with Treble Costs.

XXVI. And whereas a great Number of Workmen, skilful in the several Trades and Manufactures of this Kingdom, and also many able Seamen and Mariners, finding themselves unable to satisfy the Whole of their respective Debts, and dreading the Miseries of a Gaol, have chose to leave their Employments and Native Country, and have entered themselves in Foreign Service: And whereas their Continuance abroad must be of great Prejudice to the Trade of this Kingdom; in order therefore to

‘ induce

Debtors who were beyond the Seas on Jan. 22, 1776, surrendering themselves, may take the Benefit of this Act,

upon the same Terms as other Prisoners;

except in certain Particulars.

‘ induce and enable such Persons to return,’ be it enacted by the Authority aforesaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas, in Foreign Parts, on the said twenty-second Day of *January* one thousand seven hundred and seventy-six, and did not go into such Foreign Parts with the View or Intent to gain or have the Benefit of an Insolvent Debtors Act, who shall return and surrender himself or themselves, within fourteen Days next immediately after his or their landing in *England*, unto the Gaoler or Gaolers, Keeper or Keepers of the Prisons of the *King’s Bench*, *Marshallsea*, or *Fleet*, or to the Gaoler or Keeper, or deputed Gaoler or Keeper, of the Prison or Prisons of such County, City, Town, Riding, Division, Liberty, or Place, where such Debtor or Debtors last dwelt, for the Space of six Months (which said Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and impowered to receive and detain such Debtor or Debtors, surrendering as aforesaid, in order to their Discharge, as herein after mentioned), and who, from and immediately after such Surrender, do continue in actual Custody of such Gaoler and Gaolers, Keeper or Keepers, until the Time of his Discharge, shall be deemed a Prisoner or Prisoners within, and be, to all Intents and Purposes, intituled to the Benefit of this Act; and shall, upon due Proof of the said Premises, by the Oath of such Debtor or Debtors (not disproved by any credible Witness), be discharged in the same Manner as if he, she, or they, had been actually in Prison on the said twenty-second Day of *January* one thousand seven hundred and seventy-six, and continued therein as aforesaid; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein before imposed upon the said Prisoners actually in Custody upon the said twenty-second Day of *January* one thousand seven hundred and seventy-six, and also subject to the Terms and Provisions relating to the Estate and Effects of such Prisoner, as aforesaid; excepting only such Particulars thereof as require the Name of a Prisoner to be inserted in the Gaoler’s or Keeper’s List, as aforesaid, as relate to the Oaths of such Gaoler or Keeper herein before appointed to be taken; which Particulars cannot possibly be applied to the Case of Persons surrendering themselves as aforesaid; and also except the said Oath herein before appointed to be taken by Prisoners in Custody upon the said twenty-second Day of *January* one thousand seven hundred and seventy-six; instead whereof, the Person or Persons so surrendering shall take an Oath, in open Court, at some General or Quarter Session of the Peace, or some Adjournment thereof, of the County, City, Town, Riding, Division, Place, or Liberty, in the Prison of which any such Fugitive or Debtor shall be held, after the Surrender of any such Fugitive or Debtor, to the Effect following; which the said Justices, authorized to put this Act in Execution, are hereby required and impowered to administer in such Manner as the Oaths herein before mentioned are to be administered:

Fugitive’s Oath.

‘ **I** *A. B.* upon my corporal Oath, in the Presence of Almighty God, solemnly swear, protest, and declare, That I was actually, on the twenty-second Day of *January* one thousand seven hundred and seventy-six, beyond the Seas in Foreign Parts; *videlicet*, at _____ and that I did, within fourteen Days next immediately after my landing, surrender myself to the Custody of the Keeper of _____ [as the Case may be]; and that I have ever since such my Surrender continued a Prisoner in his Custody; and that the Schedule now delivered, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery of all the Real Estate, Goods, Effects, and other Personal Estate, in any-wise belonging to me; and also of all such Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or whereby or wherefrom any Benefit or Advantage may accrue to me, or to my Use, or to any other Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing; and of the Witnesses that can prove such Debts or Contracts [if any such there be]; and that neither I, nor any Persons in Trust for me, is or are seized of any Real Estate, in Possession, Reversion, or Remainder, or Expectancy, or of any Personal Estate of any Kind whatsoever, other than what are in the said Schedule contained; except my Wearing Apparel, and Bedding for myself and Family, my Working Tools, and necessary Implements for my Occupation and Calling, together with a Sum of Money not exceeding forty Shillings, and not exceeding in the Whole the Value of twenty Pounds; and that I have not, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my Real Estate, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Personal Estate whatsoever, whereby to secure the same, so as to receive or expect any Profit or Advantage therefrom to myself or Family, or with any View, Intent, or Design, to defraud or deceive any Creditor or Creditors, to whom I am indebted in any-wise howsoever, or prevent their recovering or attaining their respective Debts.

‘ So help me GOD.’

Fugitives arrested, intending to surrender, intituled to the Benefit of this Act.

XXVII. Provided also, and be it enacted, That if any Fugitive intending to surrender to the Terms of this Act, shall, within the Space before mentioned of fourteen Days, be arrested in any Suit or Action, which Cause of Action accrued before the said twenty-second Day of *January* one thousand seven hundred and seventy-six, such Fugitive giving Notice (as before directed) to any Justice of the Peace at the next General Quarter Sessions, and in all other Respects complying with the Terms and Conditions of this Act, shall be intituled to the Benefit of the same; and every Sheriff, Bailiff, or Officer, Gaoler, or Keeper of a Prison, in whose Custody such Fugitive shall be detained, shall conform him or themselves to the Directions of this Act, in like Manner as before mentioned.

XXVIII. And whereas a great Number of Commission and Warrant Officers, in his Majesty’s Sea and Land Service, who, through unavoidable Misfortunes, have involved themselves in Debt (and many of them, through Necessity, have taken up Money on Terms very disadvantageous to themselves, tending to hasten their Ruin), are now unable, though willing, to serve their King and Country, because, to

avoid

‘ avoid the Disgrace and Shame of a Prison, they have taken Shelter in privileged Places, and cannot come forth without Danger of being immediately arrested, or have been thrown into Prison, without Hopes of being released by any Discharge of their Debts, and are therefore become useless and a heavy Burthen, instead of being serviceable to the State: And whereas many of them are not under the Description of those Persons who can take Benefit by the Provisions of this Act, without some Extension thereof, yet are very proper Objects of such Relief as is hereby intended to be given;’ be it therefore enacted, That all and every Commission or Warrant Officer or Officers, in his Majesty’s Sea or Land Service, now upon the full or half-pay List, who shall, on or before the twenty-sixth Day of *June* one thousand seven hundred and seventy-six, surrender himself or themselves to the Gaoler or Keeper of any of his Majesty’s Prisons, in such Manner as is herein directed for Fugitive Debtors returning from Foreign Parts, who mean to claim the Benefit of this Act, and who shall, subsequent thereto, conform themselves in all Respects to the like Terms and Conditions prescribed to such Fugitive Debtors (except as to so much of the Oath required to be taken by them, as declares that such Debtors were in Foreign Parts on a certain Day, and did surrender within fourteen Days after their Return); instead whereof, every such Debtor shall swear, that he did, on or before the twenty-sixth Day of *June* one thousand seven hundred and seventy-six [as the Case may be], surrender himself to the Custody of the Gaoler or Keeper of [insert the Name of the Prison], and who shall, in all other Respects, take the same Oath as every such Fugitive Debtor is required to do, shall be deemed and taken to be a Prisoner or Prisoners within the true Meaning of this Act, and be intitled to the Benefits thereof, to all Intents and Purposes whatsoever.

XXIX. And be it further enacted by the Authority aforesaid, That if any Gaoler or Keeper of any Prison, or his Deputy or Deputies, shall, without just Cause, to be approved of by the Justices at some General Quarter Session of the Peace, or Adjournment thereof, within their respective Jurisdictions, refuse or delay to bring any such Prisoner or Prisoners as aforesaid to any such General Quarter Session, or some Adjournment thereof, in order to his or her Discharge; or shall neglect, refuse, or designedly omit to insert, in any such List, the Name or Names of any such Prisoner or Prisoners who was or were actually in Custody in his or their respective Gaol or Prison, on the said twenty-second Day of *January* one thousand seven hundred and seventy-six, or since; or shall neglect or refuse to make out, fix up, or deliver, such Lists as aforesaid; or if any such Gaoler or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to take any of the said Oaths before mentioned, and hereby required to be taken by him; or shall, upon any Account or Pretence whatsoever, take or receive more than the said Sum of one Shilling herein before allowed for his or her Attendance in order to be discharged of such Prisoner or Prisoners as aforesaid; or shall detain any such Prisoner after he or she shall be discharged as aforesaid; or if the Printer of the *London Gazette*, or other Newspaper, as aforesaid, shall wilfully refuse or neglect to insert therein the Notice by this Act directed to be given, on reasonable Request to him made for that Purpose, and Tender of the Money hereby directed to be paid; or shall take or receive any Fee or Gratuity more than Two-pence as aforesaid for doing thereof; every such Gaoler and Keeper of such Prison or Prisons, his Deputy or Deputies, and every such Printer as aforesaid, shall respectively forfeit and pay to each Prisoner, in any such Case injured, the Sum of one hundred Pounds; which shall and may be recovered, with Treble Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

XXX. And be it further enacted by the Authority aforesaid, That if any such Gaoler or Gaolers, or Keeper or Keepers, or any deputed Gaoler or Keeper, of any Prison, shall, in taking of the aforesaid Oaths, forswear or perjure himself, and shall thereof be lawfully convicted, such Gaoler or Keeper, or deputed Gaoler or Keeper, of such Prison or Prisons (over and above such Penalties as may be inflicted on Persons convicted of Perjury), shall, upon every such Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Costs, by Bill, Plaint, or Information, or Action of Debt, in any of his Majesty’s Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed, by and in the Name of such Person or Persons, his and their Executors and Administrators, to whom any Assignment or Conveyance, in pursuance of this Act, shall be made, of the Estate and Effects of such Prisoner or Prisoners; and if no such Assignee or Assignees shall be living, then in the Name or Names of any other Creditor or Creditors who shall sue for the said Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of such his Creditor or Creditors.

XXXI. And be it further enacted, That if any Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, shall delay or refuse to give every or any such Prisoner so discharged as aforesaid, within fourteen Days after his or her Discharge, a Copy of his or her Discharge, on the Payment of two Shillings and Sixpence; or shall take more than the Sum of two Shillings and Sixpence for such Copy; or shall take more than one Shilling for an Assignment or Conveyance of such Prisoner’s Estate or Effects; every such Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, who shall so offend, and who shall be convicted at any such General or Quarter Session of the Peace, or any Adjournment thereof, of any such Offence, shall, for every such Offence, forfeit and pay to every such Prisoner the Sum of twenty Pounds, as the Justices of the Peace, at any such General Quarter Session of the Peace, or Adjournment thereof, shall order; and who are hereby empowered to cause the same to be levied by Distress and Sale of the Goods of any such Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, so offending.

XXXII. And be it further enacted by the Authority aforesaid, That if any Prisoner as aforesaid, or any other Person or Persons who shall take the Benefit of this Act, shall forswear or perjure himself, her-

Any Commission or Warrant Officer, who shall surrender himself, as is herein directed for Fugitive Debtors, before *June 26, 1776*, shall be intitled to the Benefit of this Act.

Gaoler, or Printer of the *Gazette*, &c. not complying with the Regulations of this Act, to forfeit 100*l.* for each Offence, with Treble Costs.

Gaoler convicted of Perjury, to forfeit 500*l.* with full Costs, &c.

Application of the Penalty.

Clerk of the Peace refusing a Prisoner a Copy of his Discharge, or taking exorbitant Fees, shall forfeit 20*l.* to the Prisoner.

Prisoner, &c. convicted of Perjury, to suffer as a Felon.

self, or themselves, in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he, she, or they, so offending, shall be adjudged a Felon, and suffer as such, without Benefit of Clergy.

Persons discharged by this Act, not liable to Imprisonment for Debts, &c. contracted before Jan. 22, 1776:

XXXIII. And be it further enacted by the Authority aforesaid, That no Person to be discharged by this Act shall, at any Time hereafter, be imprisoned by reason of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Costs, Sum or Sums of Money, contracted, incurred, occasioned, owing, or growing due, before the said twenty-second Day of January one thousand seven hundred and seventy-six; but that upon every Arrest upon every Judgment, or such Decree, or for such Debts, Damages, Contempts, Costs, Sum and Sums of Money, it shall and may be lawful for any Judge of the Court where the Process issued, upon shewing the Copy of the Order of such Prisoner's Discharge or Discharges, to release and discharge out of Custody such Prisoner or Prisoners as aforesaid; and shall, at the same Time, order the Plaintiff or Plaintiffs, in such Suit or Suits, to pay such Prisoner or Prisoners the Costs he, she, or they, shall have incurred on such Occasion, or so much thereof as to such Judge shall seem just and reasonable; and every such Judge is hereby impowered so to do on such Prisoner's causing a Common Appearance to be entered for him in every such Action and Suit.

But no Prisoner to be discharged of Debts subsequent thereto.

XXXIV. And whereas, under former Acts of this Kind, Doubts have arisen what was to be done with such Prisoners who applied at any Session to be discharged, who owed and stood charged with Debts, as well previous as subsequent to the Day limited by the respective Acts; to remedy which, be it therefore enacted by the Authority aforesaid, That no Prisoner or Prisoners shall be discharged of any Debts subsequent to the twenty-second Day of January one thousand seven hundred and seventy-six; and if it shall appear to the Justices, in any Session or Adjournment, that any Prisoner or Prisoners, then applying to them to be discharged, shall stand charged as well with Debts previous to as subsequent to the said twenty-second Day of January one thousand seven hundred and seventy-six, that in such Cases, it shall and may be lawful to and for the Justices to discharge him or her of all Debts previous to the said twenty-second Day of January one thousand seven hundred and seventy-six, 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 with which he or she stands charged with in his Custody, subsequent to the said twenty-second Day of January one thousand seven hundred and seventy-six.

Justices, &c. may plead this Act to any Action brought against them, and recover Treble Costs.

XXXV. And be it further enacted by the Authority aforesaid, That if any Action of Escape, or any Suit or Action, be brought against any Justice or Justices of the Peace, Sheriff, Gaoler, or Keeper of any Prison, for performing their Office, in pursuance of this Act, they may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited, or discontinue his Action, or Verdict pass against him, or Judgment upon Demurrer, the Defendant shall have Treble Costs.

Persons discharged may plead generally, &c. to all Actions or Judgments brought against them before Jan. 22, 1776, &c.

XXXVI. And be it further enacted by the Authority aforesaid, That if any Scire facias, or Action of Debt, or upon Judgment, shall be brought against any Prisoner, his or her Heirs, Executors, or Administrators, upon any Judgment obtained against any such Prisoner, or on any Statute or Recognizance acknowledged by him or her, before the said twenty-second Day of January one thousand seven hundred and seventy-six, with respect to Prisoners in actual Custody, or with respect to Debtors beyond the Seas, as aforesaid, upon the said twenty-second Day of January one thousand seven hundred and seventy-six, it shall be lawful for any such Prisoner, his or her Heirs, Executors, or Administrators, to plead generally that such Prisoner was actually a Prisoner in such Prison at such a Person's Suit, or was or were beyond the Seas in Foreign Parts on the said twenty-second Day of January one thousand seven hundred and seventy-six, and was or were duly discharged according to this Act, at the General Quarter Session, or Adjournment thereof, held at such Time and Place, for such County, Riding, Division, Liberty, City, Town, or Place (as his, her, or their Case is), without pleading any Matter specially; and in case any other Suit or Action shall be commenced against him, her, or them, for any other Debt, Sum or Sums of Money, due before the said twenty-second Day of January one thousand seven hundred and seventy-six, to plead in Discharge of his or her Person from Execution (over and above such Matters as aforesaid), that such Debt or Sum of Money (as the Case shall happen) was contracted or due before the said twenty-second Day of January one thousand seven hundred and seventy-six, without pleading any other Matter especially; whereto the Plaintiff shall or may reply generally, and deny the Matters pleaded as aforesaid, or reply any other Matter or Thing which may shew the said Defendant not to be intitled to the Benefit of this Act, or not duly discharged according to it, in the same Manner as the Plaintiff might have replied, in case the Defendant had pleaded this Act, and his Discharge, by virtue of this Act, specially; and if the Plaintiff be nonsuited, discontinue his Action, or Verdict pass against him, or Judgment on Demurrer, the Defendant to have Treble Costs.

and in other Suits, may plead in Discharge of their Persons from Execution.

Plaintiff may reply generally, &c.

but if nonsuited, to pay Treble Costs.

Attornies or Servants embezzling Money, &c. excluded the Benefit of this Act.

XXXVII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to release or discharge any Attorney at Law, or Solicitor, or any other Person or Persons acting or pretending to act as such, with regard to any Debt with which he or they shall stand charged for any Money, or other Effects, recovered and received by him or them, for the Use of any Person or Persons, Bodies Corporate or Politic, and by any Attorney, Solicitor, or other Person or Persons acting as such, embezzled, concealed, or converted, to his or their own Use; or to release or discharge any Servant or Agent, or any Person or Persons employed or intrusted as such, with regard to any Debt or Demand with which he, she, or they, shall stand charged, for and on account of any Money, Goods, or other Effects, received or possessed by him, her, or them, for the Use, and on account of his, her, or their Master or Masters, or Employers, and by such Servant or Agent embezzled, concealed, or converted to his, her, or their own Use; any Thing herein contained to the contrary thereof in any-wise notwithstanding.

XXXVIII. And whereas many evil-disposed Persons, to support their profligate Way of Life, have, by various subtle Stratagems, Threats, and Devices, fraudulently obtained divers Sums of Money, Goods, Wares, Merchandises, Bonds, Bills of Exchange, Promissory Notes, or other Securities for Money,

‘ Money, to the great Injury of industrious Families, and to the manifest Prejudice of Trade and Credit;’ be it enacted, That no Prisoner, who knowingly and designedly, by false Pretence or Pretences, shall have obtained from any Person or Persons, Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promissory Notes, or other Securities for Money, shall have or receive any Benefit or Discharge by or under this Act; but the Justices, at any General or Quarter Session of the Peace, or any Adjournment thereof, before whom any such Prisoner shall be brought, upon due Proof of the Matter, made to their Satisfaction, shall remand such Prisoner to the Custody of the Gaoler or Keeper of the Prison from whence he or she shall have been brought, any Thing herein contained to the contrary notwithstanding.

‘ XXXIX. And whereas many Debtors have, with a view to defraud their Creditors, sold, transferred, conveyed, or assigned their Estate and Effects to some Person or Persons, subsequent to their being in Custody of Law, or imprisoned under some Process for Debt: And whereas such Sale, Transfer, Conveyance, or Assignment, has been frequently made, to the infinite Prejudice of the fair and honest Creditor, though sufficient Proof could not be obtained to convict the Party of a fraudulent Design;’ be it enacted, That whenever it shall be proved by one or more credible Witness or Witnesses, to the Satisfaction of the Court, to which any Prisoner shall be brought up, in order to obtain his or her Discharge, that such Prisoner has sold, transferred, conveyed, or assigned, to any Person or Persons, all or any Part of his Estate or Effects, subsequent to the Time of his Imprisonment, or of his being in Custody of Law, without just Cause for so doing, to be allowed by the Justices presiding in such Court as aforesaid; every such Prisoner shall lose all the Benefits and Advantages that he might have otherwise claimed under the Authority of this Act, and shall not be intitled to his or her Discharge.

XL. And be it further enacted by the Authority aforesaid, That every Gaoler or Keeper of any Prison shall, and is hereby required to suffer, in the Day-time, any Person or Persons desiring the same, to see and speak, in the Lodge, or some convenient Room of the said Prison, with any Prisoner or Prisoners, whose Names are inserted in the afore-mentioned List or Lists, or *London Gazette*, or other Newspaper, or any of them, or any Persons surrendering themselves pursuant to this Act; and also see, in the true and genuine Books of the said Prison, the Entries made of the Name or Names of such Prisoner or Prisoners, together with the Name or Names of the Person or Persons at whose Suit or Suits he, she, or they, are detained: And if any such Gaoler or Keeper shall neglect or refuse to comply with what is here above required, every such Gaoler or Keeper, who shall so offend in the Premises, shall forfeit and pay, to the Person so refused and aggrieved, the Sum of forty Pounds; to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparllance, shall be allowed, by and in the Name or Names of the Person or Persons so refused and aggrieved.

‘ XLI. And whereas several Persons, who have taken the Benefit of Acts of Insolvency, from a Difficulty of obtaining a new Credit to set themselves up in their usual Trades and Occupations, (as their future Effects have been made liable to their Debts previous thereto) have gone Abroad for the better Maintenance of themselves and Families, carrying the Arts and Manufactures of this Country to our Enemies, or Rivals in Trade:’ In order to prevent such Evil for the future, be it enacted, That the future real Estates, as well Freehold and Copyhold, as customary Copyhold, or Money in the Funds, or lent upon real Security only, of every such Person or Persons, Prisoner or Prisoners, Fugitive or Fugitives, which, after the Time of his, her, or their, total Surrender of his, her, or their Estates and Effects, under such Acts, he, she, or they, shall or may be seized of, in his, her, or their own Right or Use, by Grant, Demise, or Purchase, shall remain and be liable to his, her, and their respective Creditors, as before the making of this Act; and any Creditor or Creditors of any such Prisoner or Prisoners, Fugitive or Fugitives, may, at any Time hereafter, sue out Execution, Extents, or other Process, against such real Estate or Money in the Funds as aforesaid, of such Person or Persons, on any Judgment at the Time of such Discharge recovered, or Statute-staple, or Recognizance acknowledged by, or Decree obtained against, any such Prisoner or Fugitive, but not against his, her, or their Person, or his, her, or their personal Estate or Effects, except Money in the Funds obtained or accrued since such Time of such Discharge, other than as aforesaid.

XLII. And be it also enacted, That any Creditor or Creditors of any Prisoner or Prisoners, Fugitive or Fugitives, who shall be discharged under this Act, may, at any Time after any such Discharge, commence and prosecute any Action or Suit against any such Prisoner or Fugitive, his, her, or their respective Heirs, Executors, or Administrators, for the Recovery of any Sum or Sums of Money which shall be due from any such Prisoner or Prisoners, Fugitive or Fugitives, at the Time of his or their said Discharge, but shall not hold the Person of any such Prisoner or Fugitive to Special Bail; nor shall take the Person, or personal Estate and Effects, other than as aforesaid, of any such Prisoner or Fugitive, in Execution, by any Judgment, Sentence, or Decree, which shall have been, or hereafter may be, recovered or obtained against any such Prisoner or Fugitive; and any Judge of the Court, out of which such Execution shall issue, shall have Power to discharge the same by virtue of this Act: And in any Action or Suit, which shall be hereafter commenced against any such Prisoner or Fugitive, his or her Heirs, Executors, or Administrators, no Benefit or Advantage shall be had or taken for that the Cause of Action did not accrue within three Years next before the commencing of any such Action or Suit; nor shall any Statute or Limitation be pleadable, or be allowed to be pleaded in Bar of or in any such Action or Suit, which shall be hereafter commenced by any such Creditor or Creditors against any such Prisoner or Prisoners, unless such Cause of Action or Suit did not accrue within three Years next before any such Prisoner or Fugitive shall be discharged under this Act; and, in any such Case, the same may be pleaded by any such Prisoner, his or her Heirs, Executors, or Administrators.

XLIII. Provided always, and be it likewise enacted, That by the Discharge of any Prisoner or Fugitive by Force of this Act, no other Person or Persons who was or were Partner or Partners in Trade with any such Prisoner

Persons who, by false Pretences, have obtained Money, Goods, &c. excluded the Benefit of this Act.

Any Person having sold or assigned any Part of his Estate or Effects, after being in Custody, with Design to defraud his Creditors, shall lose the Benefit of this Act.

Gaoler to permit the speaking in private to Prisoners, whose Names are inserted in the List, or Gazette, &c. and the examining original Books of Entries, &c. on Penalty of 40 l. with Costs of Suit.

Prisoners future Estates, or Money in the Funds, notwithstanding their personal Discharge, liable to Creditors;

who may sue out Execution, but not against their Persons, or personal Effects, &c.

Creditors may sue for the Recovery of Debts due at the Time of Prisoner's Discharge, but not hold the Prisoner to special Bail, nor take his Person, &c. by any Judgment recovered against him. No Advantage to be taken of the Cause of Action not accruing within 3 Years, &c. Exception.

Discharge of Prisoner no Acquittal to his

Partner or Sureties.

Prisoner or Fugitive, at the Time of his or her Discharge under this Act, or then stood bound, engaged with, or liable to, the Payment of any Debt with any such Prisoner or Fugitive, or engaged in any Contract together with any such Prisoner or Fugitive, shall be discharged from any such Debt or Demand; but every such other Person and Persons shall severally stand and be chargeable with, and liable to pay, such Debt and Debts, and to perform such Contracts, in like Manner as if any such Prisoner or Fugitive had never been discharged from the same.

Gaoler making false Entries in Prison Book or List, to forfeit 500l. with Treble Costs.

XLIV. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Prison or Prisons, shall make, or cause to be made, any false Entries in any Book or Books belonging to any Prison or Gaol under his Care, or of which he is or was Gaoler, or shall prepare or keep, or cause to be prepared or kept, any false Book or Books, in order for any false or untrue Entry or Entries to be made therein; or shall insert in any List, to be delivered in as aforesaid, the Name or Names of any Person or Persons who was not a Prisoner or Prisoners in actual Custody in any such Gaol or Prison upon the said twenty-second Day of January, one thousand seven hundred and seventy-six, or shall not have ever since remained in such actual Custody (except as in the Oath of any such Gaoler or Keeper, or deputed Gaoler or Keeper, shall be excepted), every such Gaoler or Keeper, or deputed Gaoler or Keeper, shall, over and above the Penalties which he shall be liable to for every such Fraud, forfeit and pay the Sum of five hundred Pounds; to be recovered, with Treble Costs of Suit, by and in the Name, and for the Use, of any Person or Persons who shall be prejudiced by any Entry, or such false Entries; which Penalties shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Efloin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Prisoner refusing to declare the Abode, &c. of the Person at whose Suit he is detained, &c. to be excluded the Benefit of this Act.

XLV. And be it further enacted, That if any Prisoner, being thereunto required by any Creditor, shall refuse to discover and declare the Trade or Occupation, and Habitation, or last Place of Abode, of the Person or Persons at whose Suit he or she is detained or charged in Custody; or being called for and desired, by any Creditor or Creditors, to come to the Lodge of the Prison in which any such Prisoner shall be confined, without some reasonable Cause being made appear to the contrary; every such Prisoner, upon Proof being made thereof before the Justices at any General or Quarter Session of the Peace, or any Adjournment thereof, to be held as aforesaid, shall not have or receive any Benefit or Discharge by or under this Act; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Justices may assemble at or near any County Gaol, and hold a Session there for Discharge of Prisoners.

XLVI. And whereas there is but one Common or County Gaol for each of the respective Counties of York, Lincoln, Lancaster, and Durham, which said Counties are each of them divided into several Ridings or Divisions, all which have several Commissions of the Peace; and if the Gaolers of those Gaols be obliged to carry the Debtors, Prisoners therein, to the Quarter Session of each Riding or Division, the same will be a very great Charge, not only to such Gaolers, but also to the Prisoners in those large Counties; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for two or more Justices of the Peace for any of the Ridings or Divisions in the respective Counties (or any other County or Counties where the Prisons are at a Distance from the Place where the Sessions are held), at the Common or County Gaol thereof respectively, or at some convenient Place near thereto, and they are hereby required to assemble and meet, and to hold Session there, by Adjournment from their respective Quarter Session, from Time to Time, for the Discharge of the respective Prisoners therein, according to the Powers, Limitations, and Directions of this Act.

Justices for the County of Surrey may assemble at the Town-hall of Southwark for administering Oaths, &c.

XLVII. And whereas the next General Quarter Sessions of the Peace for the County of Surrey, which shall happen after the passing of this Act, may be in the County, and upwards of twenty Miles from any of the said Prisons; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for such Justices as shall be assembled at the General Quarter Session of the Peace to be holden for the County of Surrey, next after the passing of this Act, and they are hereby required forthwith to adjourn the said Session to the Town-hall in the Borough of Southwark, for the Purpose of administering the Oaths required to be taken and subscribed by this Act, by the several Gaolers within the said County wherein any Prisoner or Prisoners are confined, and to the discharging such respective Prisoner or Prisoners confined therein, according to the Powers, Limitations, and Directions of this Act.

Prisoners who are kept in Custody for Payment of Fees, &c. to be discharged.

XLVIII. And be it further enacted by the Authority aforesaid, That all Debtors and others, who were in Prison on or before the said twenty-second Day of January, one thousand seven hundred and seventy-six, or since, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or other Demands due, or claimed as due, to the Keeper or Gaoler of any Prison respectively, or to any other Officer of such Prison, and upon no other Account, shall be discharged therefrom, he, she, or they, taking the Oath by this Act required to be taken by Prisoners.

This Act not to extend to Debtors to the Crown;

XLIX. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act shall not extend, or be construed to extend, to discharge any Person out of Prison, seeking his or her Discharge under this Act, with respect to any Debt or Penalty with which he or she shall stand charged at the Suit of the Crown, 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 Revenues of Customs, Excise, or Salt Duties, or either of them.

not to Prisoners who owe more than 1000l. to one Person, unless such Creditor consent: Exception.

L. Provided also, That this Act shall not extend to discharge any Person out of Prison, seeking his or her Discharge under this Act, who shall be charged by any Body Politic or Corporate, or by any one Person, on or before the said twenty-second Day of January one thousand seven hundred and seventy-six, in any Sum exceeding the Sum of one thousand Pounds, besides Interest and Costs, and whose Discharge shall be in Court opposed by such Body Politic or Corporate, or one Person (except such Person or Persons who shall have been bound in Security for any other Person or Persons to a larger Amount, and it shall appear, to the Satisfaction of the Court, that such Person or Persons so bound, or giving, or joining in, such Security, hath or have not received or applied to his, her, or their own proper and separate Use

or Benefit, any Part of the Sum or Sums of Money so due and owing as aforesaid): And if any such Body Politic or Corporate, Creditor or Creditors, to whom a Sum exceeding one thousand Pounds shall be owing, shall oppose the Discharge of such Prisoner (except as aforesaid), and shall insist that such Prisoner be continued in Gaol; that then, and in such Case, such Body Politic or Corporate, or Creditor or Creditors, opposing the said Prisoner's Discharge as aforesaid, shall at his, her, or their proper Costs and Charges, allow and pay, in the whole, such a weekly Maintenance to the said Prisoner, not exceeding four Shillings, nor less than three Shillings and six Pence *per Week*, in such Manner as the said Justices, in their General Quarter Session, or Adjournment thereof, shall order; and, upon Non-payment of the same for the Space of two Weeks, the said Prisoner, upon Application to the said Justices in their General Quarter Session, held as aforesaid, shall be discharged, pursuant to the Intent and Meaning of this Act.

LII. And whereas, under former Acts, Creditors have been put to great Expences and Trouble in attending every Session and Adjournment, during the whole Continuance of the Act, to oppose the Discharge of Prisoners clearly excluded from any Benefit under the said respective Acts, but who, after having been before one Session heard, and refused a Discharge, to harass their Creditors, constantly gave fresh Notices for each subsequent Session and Adjournment of their intended Application to be discharged; to remedy which, be it further enacted by the Authority aforesaid, That in all cases whatever, the Determination of the Justices in Session or Adjournment shall be final to all Intents and Purposes, unless the Prisoner shall, during the Continuance of this Act, get rid of the Objection or Objections, for which they refused his Discharge; and, that the same may be clear and certain, the Justices are hereby required to state the Objections why such Prisoner's Discharge is refused by them; and, in all Cases whatever, it shall and may be lawful to and for the Justices, at any subsequent Session or Adjournment, upon Application from the Prisoner, upon due Proof on Oath made to them, by two or more credible Witnesses (which Oath they are hereby impowered to administer), of each Objection or Objections being removed, and on Proof of Notice, served, at least ten Days previous to such Application, on the Creditor or Creditors who before opposed his Discharge; and of Notice likewise inserted in the *Gazette*, in Manner before directed by this Act, to order such Prisoner to be brought before them, and, if they shall then be of Opinion the said Prisoner is intitled to the Benefit of this Act, to order him to be discharged, he taking the Oath, and in all other Respects conforming to the Directions of this Act.

LIII. Provided always, That every Fugitive or Fugitives, intitled, or to be intitled, to the Benefit of this Act, shall obtain their respective Discharges on or before the first Day of *August* one thousand seven hundred and seventy-eight, or shall be excluded from all Benefit of this Act.

LIII. And whereas it may happen that several Persons, who may claim and be intitled to the Benefit of this Act, are seized of an Estate Tail, in some Freehold or Copyhold Lands, Tenements, or Hereditaments, which Entail, with the Remainders thereupon expectant, they have, by Law, Power to defeat and bar, either by levying a Fine or Fines, suffering a Common Recovery or Common Recoveries, or by Surrender or Surrenders thereof, whereby such Person or Persons' said Freehold or Copyhold Lands, Tenements, or Hereditaments, would be liable to the Payment of their Debts, and be delivered up, according to the Terms of this Act, for the Benefit of their Creditors; be it therefore enacted by the Authority aforesaid, That in every such Case, such Person or Persons so seized as aforesaid, and who shall be intitled to, and claim the Benefit of this Act, shall, to all Intents and Purposes whatsoever in Law, be deemed and taken, and is and are hereby declared to be seized of such Lands, Tenements, and Hereditaments in Fee: Provided the same shall be delivered up to the Creditor or Creditors of every such Prisoner, in the same Manner as if such Person or Persons had actually levied a Fine, suffered a Common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become seized in Fee; any Law, or Construction of Law, to the contrary thereof, in anywise notwithstanding.

LIV. And whereas many Persons who may take the Benefit of this Act, have been great Dealers, or otherwise engaged in large Transactions, whereby they may be intitled to sundry and great Debts and Demands, of various and intricate Natures, and they may be intitled to Equities of Redemption of Estates, subject and liable to Mortgages, Judgments, and other Incumbrances, or to Reversions, Remainders, or other contingent Estates in Lands, Tenements, or Hereditaments, or to other Trusts or Interests in Estates, both Real and Personal, which may not be sufficiently described or discovered, in the Schedule, or Inventory, before directed to be delivered in, upon Oath, as aforesaid, or which may want his Aid or Assistance to adjust, make out, recover, or manage, for the Benefit of the Creditors: Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Assignees of the Estate and Effects of such Prisoner or Prisoners who shall obtain his, her, or their Discharge, in pursuance of this Act, or any other Person or Persons, duly authorized by them for that Purpose, from Time to Time, to apply to any two or more of the Justices of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, where such Person or Persons shall be then residing, thereby desiring that such Person or Persons may be further examined as to any Matters or Things relating to his, her, or their Estate or Effects; whereupon such Justices shall send for, or call before them, such Person or Persons, by such Warrant, Summons, Ways, or Means, as they shall think fit; and, upon such Person's appearing, shall examine him, her, or them, as well upon Oath as otherwise, as to such Matters and Things, as such Assignee shall desire, relating to the Estate and Effects of such Person or Persons; and if any Person or Persons (on Payment, or Tender of Payment, of such reasonable Charges as such Justices shall judge sufficient) shall neglect or refuse to come and appear, not having a lawful Excuse, to be made known to such Justices, and by them allowed, or, being come before them, shall refuse to be sworn, or to answer to all such Questions as by such Justices shall be put to him, her, or them, relating to the Discovery of his, her, or their Estate or Effects, so vested, or intended to be vested, in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or in such Assignees as aforesaid, that then it shall and may be lawful to and for such Justices, by Warrant under their Hands and Seals, to apprehend

Creditor opposing Prisoner's Discharge to allow him 3s. 6d. per Week;

and on Non-payment for two Weeks, Prisoner to be discharged.

Determination of Justices to be final with respect to the Retention of any Prisoner; unless the Prisoner get rid of the Objections for which they refused his Discharge.

Justices, on Proof by two Witnesses of Objections being removed, &c. may discharge such Prisoner.

No Fugitive to obtain a Discharge after Aug. 1, 1778.

Persons seized of an Estate Tail, claiming the Benefit of this Act, are to deliver up the same to Creditors.

Assignees may apply for further Examination of Prisoners, touching the Discovery of their Effects; and Justices may send for and examine them accordingly. Persons refusing to appear, or answer upon Oath, may be committed.

prehend such Person or Persons so offending as aforesaid, and him, her, or them, to commit to the Common Gaol, there to remain, without Bail or Mainprize, until such Time as he, she, or they, shall submit him, her, or themselves, to such Justices, and answer upon Oath to all such lawful Questions as shall, by such Justices, be put to him, her, or them, for the Purposes aforesaid.

LV. And be it further enacted by the Authority aforesaid, That all and every such Person and Persons, who shall, within twelve Months after the Discharge of such Prisoner or Prisoners, voluntarily come in and make a Discovery of any Part of such Debtor or Debtors Real or Personal Estate, as shall not be comprised in such Schedule as aforesaid, before any Justices aforesaid, shall be allowed after the Rate of twenty Pounds *per Centum*, out of the Net Produce of such Debtor or Debtors Estate which shall be recovered on such Discovery, and which shall be paid to such Person or Persons so discovering the same, by the Assignee or Assignees of such Prisoner's Estate and Effects.

LVI. Provided always, and be it enacted, That notwithstanding the Discharge of any Prisoner or Prisoners by virtue of this Act, if it shall hereafter appear the same was obtained fraudulently, or that any Part of the Oath taken by any such Prisoner was not true; then, and in every such Case, every such Discharge shall be void, and of none Effect.

LVII. And, for the better Discovery of the Estate and Effects of any Prisoner who shall be discharged by virtue of this Act, be it enacted by the Authority aforesaid, That any Person or Persons who shall have accepted of any Trust or Trusts, and shall wilfully conceal or protect any Estate, Real or Personal, of any such Prisoner, from his Creditors, and shall not, within thirty Days after any Assignee or Assignees shall, in pursuance of this Act, be chose of any such Prisoner's Estate, discover and disclose to such Assignee or Assignees, such Trust and Estate, in Writing, and deliver up or make over the same to such Assignee or Assignees, he, she, or they, so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, and also Double the Value of the Estate, either Real or Personal, so concealed, to and for the Use of the Creditors of any such Prisoner; to be recovered by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, in the Name or Names of the Assignee or Assignees of such Prisoner's Estate, together with Treble Costs of Suit.

LVIII. And be it further enacted by the Authority aforesaid, That it shall be lawful, at all Times hereafter, for any Assignee or Assignees, of the Estate or Effects of any Prisoner or Prisoners, who shall be chose in pursuance of this Act, by and with the Consent of the major Part in Value of such Prisoner or Prisoners Creditors, who shall be present at a Meeting to be held on twenty-one Days public Notice being previously given for the Purpose hereafter mentioned in the *London Gazette*, if the Prisoner was in Custody in *London*, or within the weekly Bills of Mortality, and if not, then also in some Newspaper, which shall be published in the County, City, or Place, in or near which any such Person shall have been in Gaol, to make Composition with any Person or Persons, Debtors, or Accountants, to such Prisoner or Prisoners, where the same shall appear necessary or reasonable; and to take such reasonable Part of any such Debt as can, upon such Composition, be gotten in full Discharge of such Debts and Accounts, and also to submit any Difference or Dispute between such Assignee or Assignees, and any Person or Persons for or on Account, or by Reason or Means of any Matter, Cause, or Thing, relating to such Prisoner or Prisoners' Estate and Effects, or to any Debt or Debts due, or claimed to be due, to or from such Prisoner or Prisoners, to the final End and Determination of Arbitrators, to be chosen by the said Assignee or Assignees, and the major Part in Value of such Creditors, and the Party or Parties with whom they shall have no Difference; and to perform the Award of such Arbitrators, or of any Umpire to be chosen by them, or otherwise to settle and agree the Matters in Difference or Dispute between them, in such Manner as the said Assignee or Assignees, with such Consent as aforesaid, shall think fit and can agree; and the same shall be binding to all the Creditors of such Prisoner or Prisoners; and every such Assignee or Assignees is and are hereby indemnified for what they shall fairly do in the Premises, in pursuance of this Act.

LIX. And whereas, under former Acts of this Nature, no Provision was ever made as to what should become of the Estate and Effects of any Prisoner or Prisoners, Fugitive or Fugitives, not got in, obtained or recovered, by any Assignee or Assignees chose pursuant to the Directions of the several Acts, at the Time of his or their Death or Deaths, and whose Heir or Heirs, Executors, Administrators, and Assigns, refused to act or meddle therein; to remedy which, be it enacted, That in all such Cases, it shall and may be lawful to and for the Creditors of every such Prisoner or Prisoners, Fugitive or Fugitives, to chuse a new Assignee or Assignees in Manner and Form as herein before is directed, and to obtain a new Assignment from the Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, pursuant to the Order of the Justices, and which said Order the said Justices are hereby required and empowered to direct, (on due Proof on Oath being made to them of the Death of such former Assignee or Assignees, and Refusal of his or their Heirs, Executors, Administrators, or Assigns, to act or meddle therein;) and the said Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, are hereby empowered to obey the same, and execute such Assignment accordingly, in Manner and Form as if no former Assignment had ever been made; the said Assignee or Assignees, Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, hereby conforming to all Orders and Directions made by this Act, relative to them or any of them; and to be liable to all such Pains and Penalties as are inflicted on them, or any of them, by virtue of this Act, for Disobedience in any Part thereof, or Neglect of Duty whatever; and in case any such Assignee or Assignees shall die, and his Heirs, Executors, Administrators, or Assigns, shall refuse to act, that then, and in such Case, it shall be lawful for such Justices of the Peace to appoint a new Assignee or Assignees, with the like Powers and Authorities as are given by this Act; and the said Justices shall have Power, in a summary Way, to oblige the Heirs, Executors, Administrators, and Assigns, of such Assignee or Assignees,

sol. per Cent. allowed for discovering, within 12 Months, any Part of a Prisoner's Estate not comprised in his Schedule.

Discharge obtained fraudulently, void.

Persons concealing any Estate or Effects of the Prisoner, forfeit 100l. and Double Value, with Treble Costs of Suit.

Assignees, with Consent of the Majority in Value of the Creditors may compound for Debts due to the Prisoner's Estate;

and may submit any Dispute relating thereto to Arbitration.

If Assignees die before the Effects of the Prisoners are got in, and their Heirs, &c. refuse to act, other Assignees to be appointed, and Creditors to obtain a new Assignment from the Clerk of the Peace, which the Justices are to direct.

Clerk of the Peace to obey the Order, as if no Assignment had been made.

signees, to account and deliver up all such Estate and Effects as shall remain in his or their Hands, to be applied for the Purposes of this Act.

LX. And, to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as shall be discharged by virtue of this Act may be duly and faithfully applied for the Benefit of his, her, or their real Creditors, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts at *Westminster*, and the Courts of Great Sessions in *Hales*, and the Precinct of *Chester*, and the Counties Palatine of *Lancaster* and *Durham*, respectively, from whence any Process issued upon which any such Prisoner or Prisoners was or were committed; or where the Process issued out of any other Court, to and for the Judges of the Court of King's Bench, Common Pleas, and Exchequer, or of Great Sessions aforesaid, within their respective Jurisdictions, or any one of them, from Time to Time, upon the Petition of any such Prisoner, or the Creditor or Creditors of such Prisoner or Prisoners, complaining of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of any Assignee or Assignees of the Estate or Effects of any such Prisoner or Prisoners, to summon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or displacing such Assignee or Assignees, and appointing any new Assignee or Assignees in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just, or equitable Management or Distribution of the Estate and Effects of any such Prisoner for the Benefit of the respective Creditors, as the said Courts or Judges respectively shall think fit; and in case of the Removal or displacing of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall, from thenceforth, be divested out of the Assignee or Assignees so removed or displaced, 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 chose as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

LXI. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where mutual Credit hath been given between any Prisoner or Prisoners who shall be discharged in pursuance of this Act, and any other Person or Persons, or Body Politic or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners, upon Oath as aforesaid, the respective Assignee and Assignees of such Prisoner or Prisoners is and are hereby authorized and required, on his and their Parts, to state and allow an Account between them and the other Party or Parties concerned; and nothing more shall be deemed to be vested in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or such Assignee or Assignees under such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be justly due to him, her, or them respectively, as and for the Balance of such Account, when truly stated.

LXII. And whereas many Persons are often committed on Attachments for Contempts, for not paying Money awarded to be paid under Submissions to Arbitrators by Rules of Court, or under Submissions to Arbitration Bonds, and which Submissions have been made Rules of Court, in pursuance of an Act, passed in the ninth and tenth Years of the Reign of *William* the Third, for determining Differences by Arbitration; and likewise 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 any Writ of *Excommunicato Capiendo*, or other Process for, or grounded on, the Non-payment of Costs or Expences in any Cause or Proceeding in any Ecclesiastical Court, or for any Contempt to such Court, it is hereby declared and enacted, That all such Persons are and shall be intitled to the Benefit of this Act, on and subject to the same Terms and Conditions as are herein expressed and declared with respect to Prisoners for Debt only.

LXIII. And whereas great Numbers of poor People have been and are now imprisoned for Debt, upon Processes issuing out of Courts of Conscience; it is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged under the same, provided he, she, or they, conform to the Directions herein before prescribed, touching other Prisoners who shall be discharged by virtue of this Act.

LXIV. And be it further enacted by the Authority aforesaid, 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 and false affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act upon Persons convicted of wilful and corrupt Perjury.

LXV. Provided always, and be it further enacted by the Authority aforesaid, That no Person who shall have taken the Benefit of any Act heretofore passed for the Relief of Insolvent Debtors, within the Space of eight Years last past, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same; any Thing herein before contained to the contrary notwithstanding; unless such Person shall be willing to serve, and shall actually enter himself to serve, on Board some one of his Majesty's Ships of War for the Term of Seven Years, or shall enlist as a Soldier in some of his Majesty's Land Forces.

LXVI. And be it further enacted, That when any Prisoner, who may have taken the Benefit of any Insolvent Act within the Space of eight Years last past, shall under this Act apply for his Discharge, every such Prisoner shall produce to the Court (to which he shall make Application for such Discharge) a Certificate in Writing, signed by an Officer properly authorized to engage or enlist Men for his Majesty's Sea or Land Service [as the Case may be] setting forth that he was on the _____ Day of _____ [insert the Date] engaged or enlisted [as the Case may be] to serve as a Mariner or Soldier in his Majesty's Sea or Land Service, which Certificate shall be attested by one or more credible Witnesses or Witnesses; and in case such Certificate shall not be produced, or shall not be properly authenticated in Manner aforesaid, to the Satisfaction of the Justices before whom any such Prisoner shall be brought, he shall be remanded back

Assignees complained against for Insufficiency, Fraud, Mismanagement, or other Misbehaviour;

the Court thereupon is to summon the Parties, and make such Orders therein as they shall think fit.

Where mutual Credit has been given, the Balance to be stated and allowed.

Persons committed for not paying Money awarded under Submissions to Arbitration; and for not paying Costs, &c. are intitled to the Benefit of this Act.

Prisoners upon Processes out of Courts of Conscience, to have the Benefit of this Act.

Quaker's Affirmation to be taken in lieu of an Oath.

Persons who have taken the Benefit of any Insolvent Act within eight Years, excluded from this Act; Exception.

Prisoners who have taken such Benefit, and shall apply for Discharge under this Act, to produce to the Court a Certificate, signed by a proper Officer, setting forth, that they are

inlisted to serve His Majesty, &c.

This Act not to extend to Scotland.

Clause of Relief for Bankrupts, who have not obtained Certificates and Discharge of their Debts.

to the Prison from whence he came, there to remain till he shall have fully complied with the Directions aforesaid, or shall by other legal Means sooner obtain his Discharge.

LXVII. Provided also, and it is hereby enacted, That nothing in this Act contained shall extend to that Part of *Great Britain* called *Scotland*.

LXVIII. ' And whereas Bankrupts who have not obtained their Certificates and Discharge of their Debts, under some one of the Acts relating to Bankrupts, have not been deemed to be within the Meaning of Acts of Insolvency, as such Bankrupts have no Schedules to deliver up according to the Terms and Conditions of such Acts; nevertheless, as many Bankrupts are confined in Prison for Debt only, though they have already delivered up their whole Estates and Effects, or, from a Fear of being arrested and thrown into Prison, are frequently induced to abscond from their Homes, and go into Foreign Parts: Be it further enacted by the Authority aforesaid, That such Person or Persons, against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-second Day of *January*, one thousand seven hundred and seventy-six, or who shall have been really an actual Prisoner or Prisoners, in the Custody of any Gaoler or Gaolers, or Keeper of any Prison respectively, on or before the twenty-second Day of *January*, one thousand seven hundred and seventy-six, and against whom a Commission of Bankruptcy shall have since been awarded and issued, and who hath or have duly conformed, or shall duly conform, him, her, or themselves, to the several Acts of Parliament relating to Bankrupts, and hath not or have not been committed to any Prison by a Warrant of the Commissioners, in such Commission named, for Contumacy or Noncompliance to those Laws, and who now is or are in Prison for Debt, Damages, Contempt, Costs of Suit, or any Sum or Sums of Money due and accrued previous to such Commission, or who now are secreting themselves in Fear of their Creditors; and shall be hereafter sued, arrested, or held to Bail, or shall surrender him, her, or themselves, or be surrendered, in Discharge of his, her, or their Bail, or taken in Execution in any Suit or Action for any such Debt or Debts as aforesaid, shall and may apply to any one of the Judges of the Court wherein such Process or Processes hath or have issued, to summon his, her, or their Plaintiff or Plaintiffs, to shew cause why such Bankrupt or Bankrupts should not be discharged from his, her, or their Imprisonment, or Arrest as aforesaid, such Bankrupt or Bankrupts first making Oath before such Judge, (or if at a Distance from such Judge, then before a Justice of the Peace) who is hereby authorized to administer such Oath, that such Debt or Debts did accrue previous to the issuing such Commission; and such Plaintiff or Plaintiffs not appearing, or not proving that such Bankrupt or Bankrupts hath or have concealed any Part of his, her, or their Estate or Effects, or hath or have not duly conformed him, her, or themselves, to the Laws now in Force against Bankrupts, such Judge shall and may discharge such Bankrupt or Bankrupts from such Imprisonment or Arrest as aforesaid; such Bankrupt or Bankrupts causing a common Appearance to be entered for him, her, or them, where necessary, in every such Suit or Action; and if any such Bankrupt or Bankrupts shall be afterwards again sued and arrested, or taken in Execution, or imprisoned, in any Suit or Action, for such Debt or Debts, previous to such Commission as aforesaid, any Judge of the Court wherein such Process issued shall, upon Summons of the proper Party or Parties, immediately discharge such Bankrupt or Bankrupts from such Arrest or Imprisonment; nevertheless such Bankrupt or Bankrupts shall, in all other Respects, be deemed subject to the Laws in Force against Bankrupts; and every Sheriff and Sheriffs, Bailiff and Officer, Gaoler and Keeper of a Prison, is and are hereby required, on proper Notice being given of such Judge's Discharge, to release and set free such Bankrupt or Bankrupts out of his or their Custody, and each and every of them is and are hereby indemnified from any Action or Actions that may be brought, commenced, or prosecuted against him or them, for any Escape for or on account thereof.

LXIX. And whereas many Bankrupts, having in all Respects strictly conformed themselves to the Directions of the Bankrupt Laws, have, notwithstanding, been unable to obtain their Certificates, and have, on that Account, been discouraged from exerting their Industry in the Pursuit of their several Occupations; either living in the most unhappy and distressed Situation at Home, or seeking Relief in foreign Countries, where they can earn and secure to themselves the Profit of an industrious Application to Business; some of whom have carried with them the Arts, Manufactures, and Commerce of this Country, to the great Prejudice thereof: And whereas some Relief given in such particular Cases, might prevent the Evils arising to the Public, and be an Encouragement for such Individuals to follow their different Occupations at Home; be it enacted, That any Person or Persons against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-second Day of *January*, one thousand seven hundred and seventy-six, and who hath or have in all Things conformed to the several Acts now in Force concerning Bankrupts, by his, her, or their Surrender and Submission thereto, and who shall not have been committed for any Act of Contumacy or Nonconformity, yet who hath not or have not gained a total Discharge from his, her, or their Creditors, of his, her, or their Debts, arising or accruing previous to such Commission, for want of their Certificate, shall have Liberty, after the Expiration of twelve Calendar Months from the Day of the Date of every such Commission respectively, to petition or to apply, by Motion of Court, to the Lord Chancellor, Lord Keeper, or Lords Commissioners for the Time being, setting forth the true Circumstance of the Case relative to such Commission and Certificate; and the Lord Chancellor, Lord Keeper, or Lords Commissioners as aforesaid, shall have Power and Authority to direct and order the acting Commissioners in the respective Commissions named, to certify to the said Lord Chancellor, Lord Keeper, or Lords Commissioners, the Conformity or Nonconformity of such Bankrupt or Bankrupts, and such other Matter as to them shall seem necessary concerning the same (the said acting Commissioners being hereby authorized and required so to do); and the Lord Chancellor, Lord Keeper, or Lords Commissioners, as aforesaid, shall thereupon have Power and Authority, if he or they shall so think fit, to direct and order an Advertisement to be inserted in the *London Gazette*, for the Allowance of such Bankrupt's Certificate, (although the same shall not appear to have been signed or consented to by four-fifths in Number and Value of the said Bankrupt's Creditors, agreeable to the

Clause with respect to Bankrupts who have conformed themselves to the Bankrupt Laws;

Lord Chancellor, &c. empowered to allow such Bankrupts Certificates, although not signed by four-fifths of their Creditors.

Laws now in being), in the same Manner and Form as if the said Certificate had been signed as aforesaid; and in case no sufficient Cause shall be shewn to the contrary within the Time limited by the said Advertisement, the said Lord Chancellor, Lord Keeper, or Lords Commissioners as aforesaid, shall have Power and Authority to allow such Bankrupt's Certificate, in the like Manner as if the same had been signed agreeable to the Laws now in being, and grant or make such other Order thereupon, for the Relief and Discharge of such Bankrupt or Bankrupts from his, her, or their Debts as aforesaid, or otherwise, as to the Lord Chancellor, Lord Keeper, or Lords Commissioners, shall seem proper; which Certificate, if so allowed, shall be as full and effectual, to all Intents and Purposes, as if the same had been duly obtained and allowed agreeable to the Directions of the several Laws now in Force concerning Bankrupts; any Law or Usage to the contrary notwithstanding.

LXX. And whereas the Case of *Thomas Touchet*, late of *Manchester*, Merchant, and now a Prisoner in the King's Bench Prison, is attended with very particular Circumstances, and that the said *Thomas Touchet* is lunatick; be it therefore enacted by the Authority aforesaid, That although the Sum due and owing by the said *Thomas Touchet* to one Creditor does exceed the Sum of one thousand Pounds, and notwithstanding his said Lunacy, he the said *Thomas Touchet* shall be intitled to all the Benefits of this Act, in all Respects whatsoever, as if the said *Thomas Touchet* had not owed more than one thousand Pounds to one Person, and was not lunatick, any Thing in this Act to the contrary hereof in anywise notwithstanding; and that all Acts done or consented to by the Committee of his Estate and Effects shall be good and valid to all Intents and Purposes, as if the same were done and consented to by the said *Thomas Touchet* himself.

Clause in favour of *Thomas Touchet*, Merchant.

C A P. XXXIX.

An Act for repealing a Clause in an Act, made in the thirteenth Year of the Reign of his present Majesty, 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*; which relates to the countersinking of the Tire of the Wheels of all Waggons, Wains, and other Carriages, to be used on Turnpike Roads; and for explaining a Provision in the said Act, with respect to the Fellies and Tire of Carriages having the Fellies of the Wheels of the Gauge of six Inches or upwards.

WHEREAS by a Clause in an Act of Parliament made in the thirteenth Year of his present Majesty's Reign, (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 Tire of the Wheels of all Waggons, Wains, Carts, and other Carriages, to be used on any Turnpike Road, shall be countersunk, by placing the same upon the Fellies in such Manner that the Nails shall not rise above the Surface, and that the Sole or Surface of the Wheels shall be quite flat; and that the Owner of every Carriage offending therein shall forfeit the Sum of forty Shillings; and every Driver, not being the Owner, the Sum of twenty Shillings, for every Offence; which Provisions are attended with great Inconvenience; 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 Clause shall be, and the same is hereby repealed.

Preamble. A Clause in Act 13 Geo. III. recited,

II. And whereas by the said Act it is provided, That no Person or Persons shall be allowed to take the Benefit of certain Exceptions in the said Act mentioned, or have the Power of compounding for Tolls, in respect of Carriages having the Fellies of the Wheels thereof of the Breadth or Gauge of six Inches, or upwards, unless the Fellies, and the Tire upon such Fellies, shall lie flat: And whereas Doubts may arise concerning the Construction of the said Provision, which, according to the strict Sense of the Words, cannot be complied with: To the End therefore that all Persons who shall endeavour to comply with the said Provisions may receive the Benefit of such Exemptions and Compositions; be it further enacted by the Authority aforesaid, That all Wheels of the Breadth or Gauge of six Inches, or upwards, the Fellies or Tire whereof shall not deviate more than one Inch from a flat Surface, shall be deemed and taken to be flat, according to the true Intent and Meaning of the said Act.

and repealed.

A Provision in the said Act, respecting the Fellies and Tire of Carriages, &c. explained.

C A P. XL.

An Act for obliging the Overseers of the Poor, within the several Parishes and Places within that Part of *Great Britain* called *England*, to make Returns, upon Oath, to certain Questions, specified in the Act, relative to the State of the Poor; and to authorise and require the Justices of the Peace, within their respective Divisions and Jurisdictions, in the several Counties and Cities in *England* and *Wales*, to take such Returns upon Oath, and to cause them to be transmitted to the Clerk of the Parliaments.

WHEREAS the great and encreasing Expence of maintaining and providing for the Poor, within that Part of *Great Britain* called *England*, and the continual Distresses of the Poor notwithstanding, make it highly expedient for the Legislature to take that great Subject into their most serious Consideration:

Preamble.

consideration: And whereas Information of the State of the Poor, and the Nature of those Expences, may be necessary to be procured in order to enable the two Houses of Parliament to judge of proper Remedies to redress those Grievances; but it is apprehended such Information cannot be effectually obtained 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 a sufficient Number of printed Copies of this Act shall, as soon as conveniently may be, after the passing hereof, be transmitted, by *George White*, Esquire, one of the Clerks of the House of Commons, to the Clerks of the Peace and Town Clerks of the several and respective Counties, Ridings, Divisions, Precincts, Sokes, Franchises, Liberties, Cities, and Counties Corporate, in *England* and *Wales*; and that the said several Clerks of the Peace and Town Clerks shall, and they are hereby required, with all convenient Speed, to cause the said Act to be distributed amongst the acting Justices of the Peace within their respective Limits; and also to cause a sufficient Number of the Schedule to this Act annexed, to be printed and delivered to the High Constables, or other proper Officers within their respective Limits, at the *Midsummer* Quarter Session of the Peace in one thousand seven hundred and seventy-six; and also to receive the Answers and Returns made by Overseers of the Poor, pursuant to the Directions herein after given, and transmit the same to the Clerk of the Parliaments with all convenient Speed, in order that the same may be inspected by the Members of both Houses of Parliament, upon Pain of forfeiting, for every Neglect and Default, a Sum not exceeding five Pounds, nor less than twenty Shillings.

II. And be it further enacted, That the several Justices of the Peace, within their respective Jurisdictions in *England* and *Wales*, shall, as soon as conveniently may be after the *Midsummer* Session, one thousand seven hundred and seventy-six, appoint a Time and Place or Times and Places, which Time or Times shall be on or before the twentieth Day of *October*, one thousand seven hundred and seventy-six, for the Overseers of the Poor of the several Parishes, Townships, and Places, within their respective Jurisdictions, to attend them at such Meeting or Meetings for the Purposes of this Act, with Returns and Answers to the Questions stated in the Schedule to this Act annexed, and cause Notice thereof to be given to such Overseers respectively, and also to the High Constables, or where there are no High Constables, to such other proper Officers who have the Execution of Precepts from Justices of the Peace to inferior Officers within such respective Jurisdictions, requiring their Attendances at such Meetings for the Purposes of this Act.

III. And be it further enacted, That the said Justices of the Peace shall, and they are hereby also required, at such Meeting or Meetings, so to be appointed by them as aforesaid, to receive and take the Answers and Returns to be made by the Overseers of the Poor pursuant to the Directions aforesaid, and then and there administer to them respectively the Oath contained in the said Schedule; and such Justices, if they see cause, may examine such Overseers upon Oath, touching any of the Matters contained in such Questions and Answers, and call for the Accounts of the Overseers of the Poor for the preceding Year, if they shall see fit, in order to explain and verify the said Accounts as shall be then made; and the said Justices shall then deliver such Answers and Returns to the respective High Constables or other proper Officers as aforesaid, in order that the same may be by them transmitted to the Clerks of the Peace or Town Clerks, as herein is directed.

IV. And be it further enacted, That the High Constables, or other proper Officers so described as aforesaid, within the respective Jurisdictions aforesaid, shall, at the *Midsummer* Quarter Sessions in one thousand seven hundred and seventy-six, pursuant to the Directions aforesaid, receive from the said Clerks of the Peace, or Town Clerks, the said printed Schedules, and deliver, or cause to be delivered, one such Schedule to one of the Overseers of the Poor of every Parish, Township, or Place, as well within Towns Corporate as without, within their respective Limits; and, when required by the respective Justices of the Peace as aforesaid, attend the said respective Meetings, and then and there receive the several Answers and Returns made by the Overseers of the Poor, and indorse upon the Back of each of them the Name of the Hundred, Rape, Wapentake, Lathe, Precinct, Soke, Franchise, Liberty, City, or County Corporate, wherein the Parish, Township, or Place, therein mentioned, is situate, and transmit the same, together with a true and perfect List of the Names of the Overseers of the Poor of every Parish, Township, and Place, to whom such Schedules had been delivered as aforesaid, to the several Clerks of the Peace, and Town Clerks, at the then next *Michaelmas* Quarter Sessions of the Peace, or the Adjournment thereof, which Adjournment the Justices at such Quarter Sessions are required to make to some convenient Day, within one Week after the said twentieth Day of *October*, in Cases where such Returns shall not be made at the said *Michaelmas* Quarter Sessions, upon Pain of forfeiting, for every Default or Neglect in the Matters aforesaid, a Sum not exceeding five Pounds, nor less than forty Shillings.

V. And be it further enacted, That the Overseers of the Poor of every such Parish, Township, and Place, shall, and are hereby required to attend the Justices of the Peace at such Meeting or Meetings, and then and there deliver to the said Justices, in Writing signed by them, a just and true Answer and Return to the said Questions, upon Oath, as before directed; and that every Overseer making Default in any of the Matters hereby required, shall, for every such Neglect or Default, forfeit a Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of the Justice or Justices before whom Complaint thereof shall be made: And in order to enable the said Overseers to make Answers and Returns as aforesaid, they are hereby authorized and impowered to call for, inspect, and take Copies of, the Accounts of the preceding Overseers, or so much thereof as shall be necessary; and every Person or Persons, in whose Custody or Power every such Accounts shall be, shall and are hereby required to produce and deliver such Accounts to the said Overseers, for the Purposes aforesaid, upon Pain of forfeiting, for every Default or Neglect in the Premises, a Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of the Justice or Justices before whom Complaint thereof shall be made.

VI. And

Printed Copies of this Act to be transmitted, by *George White* Esquire, to the Clerks of the Peace, &c. in *England* and *Wales*, to be distributed amongst the Justices, &c. Returns made by Overseers to be transmitted to the Clerk of the Parliaments.

Justices, between the *Midsummer* Session and Oct. 20, 1776, to appoint a Meeting, and give Notice to Overseers to attend them, &c.

Overseers to give in Answers and Returns agreeable to, and to take the Oath contained in, the Schedule, &c.

Justices to deliver the Answers and Returns to High Constables.

The Duty of High Constables in putting this Act in Execution.

Penalty for Neglect thereof.

Overseers to attend the Justices at Meetings, and deliver, in Writing, true Answers and Returns, &c. Overseers impowered to take Copies of Accounts of preceding Overseers. Penalty on Persons refusing to deliver such Accounts.

VI. And be it further enacted, That there shall be paid and allowed, for the Trouble and Expences of the several Persons employed in the Transactions aforesaid, for every Return which shall be so made and transmitted to the Clerks of the Peace and Town Clerks respectively, pursuant to the Directions aforesaid, the Sums following, and no more; *videlicet*, To the Clerk of the Peace or Town Clerk, for the Return which shall be made from every such Parish, Township, and Place, the Sum of two Shillings and Sixpence: To the High Constable, or other proper Officer, for the like, the Sum of one Shilling and Sixpence: To the Overseers of the Poor, for the like, the Sum of two Shillings: To the Clerks of the Justices of the Peace, for the like, the Sum of one Shilling: And that the Justices of the Peace, at their respective Quarter Session, which shall be held next after *Michaelmas*, one thousand seven hundred and seventy-six, shall, and are hereby required to make an Order upon their respective Treasurers to pay the same out of the Rates to be made and collected for the respective Counties, Ridings, Divisions, Precincts, Sokes, Franchises, Liberties, Cities, and Counties Corporate.

VII. And be it further enacted, That the several Forfeitures and Penalties inflicted by this Act shall, if not immediately paid, be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction where such Offender shall dwell, rendering to the said Offender the Overplus, if any, after the Charge of such Distress and Sale shall be deducted; and in case sufficient Distress shall not be found, then it shall be lawful for such Justice to commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, for a Term not exceeding twelve Calendar Months, unless the said Forfeiture and Charges shall be sooner paid; and the said Forfeitures when recovered shall be paid and applied, one Half to the Informer, and the other Half to the said respective Treasurers in Aid of the Rates aforesaid; and any Person shall be deemed a competent Witness for the Execution of any of the Purposes of this Act, notwithstanding his paying, or being liable to pay, to such County Rates.

Fees to be allowed for each Return.

To the Clerk of the Peace,
2 s. 6 d.
High Constable;
1 s. 6 d.
Overseers, 2 s.
Justices Clerks,
1 s.

Penalties and Forfeitures, how to be recovered and applied.

SCHEDULE.

QUESTIONS, to which, by Direction of an Act, passed in the sixteenth Year of his Majesty King George the Third, intituled, "An Act for obliging the Overseers of the Poor, within the several Parishes and Places within that Part of Great Britain called England, to make Returns, upon Oath, to certain Questions, specified in the Act, relative to the State of their Poor; and to authorise and require the Justices of the Peace, within their respective Divisions and Jurisdictions, in the several Counties and Cities in England and Wales, to take such Returns upon Oath, and to cause them to be transmitted to the Clerk of the Parliaments;" Answers are to be returned by the Overseers of the Poor of every Parish, Township, and Place, in Writing, upon Oath, and signed by them, for which Purpose the said Overseers are to attend the Justices of the Peace, within their respective Jurisdictions, at such Times and Places as they shall appoint, on Pain of forfeiting, for every Default or Neglect, a Sum not exceeding five Pounds, nor less than forty Shillings.

ANSWERS returned to those Questions, by the Overseers of the Poor of the Parish [Township, or Extraparochial Place, as the Case may be] of _____ in the County [Riding, Division, &c. as the Case may be] of _____ the _____ Day of _____ one thousand seven hundred and seventy-six.

I. **WHAT** was the Amount of the Assessments for the Relief of the Poor, in the Year ending at *Easter*, one thousand seven hundred and seventy-six?

THE Assessments for the Relief of the Poor, in the Year ending at *Easter*, one thousand seven hundred and seventy-six, amounted to £.

II. How much of those Assessments was applied for the Relief or on Account of the Poor, and how much for the Payment of County Rates, or any other Purposes; distinguishing also the Amount of what paid for the Rent of Workhouses, or paid or allowed for Habitations for the Poor; and, if any of the Poor reside in Houses built at the Expence of the Parish, Township, or Place, state the total annual Value of such Houses?

There was applied of the Money collected under those Assessments, on Account of the Poor only, £.

Ditto for the Payment of County Rates, or other Purposes, the Sum of £.

Out of which Money applied on Account of the Poor, there was paid for Rent of Workhouses, the Sum of £.

Out of Ditto there was paid or applied for Habitations for the Poor, the Sum of £.

The annual Value of Houses occupied by poor Persons, which are the Property of the Inhabitants of the said Parish, [Township, or Extra-parochial Place] amounts to £.

III. What Number of Poor have received constant Relief during that Year, and what has been the Expence thereof; as near as the same can be estimated?

The Number of Poor who received constant Relief in that Year, was

The Expence of maintaining them, as near as the same can be estimated, amounted to £.

IV. Is there a Workhouse in your Parish? If so, what Number of Poor will it accommodate?

There is a Workhouse, which will accommodate about Persons.

V. What was expended in Litigations about Settlements, Removals, Appeals, or other Disputes concerning the Poor, within that Year; distinguishing how much of such Expences arose from Disputes with Parishes, Townships, or Places, not within the County, Riding, Division, Precinct, Soke, Franchise, Liberty, City, or County Corporate, wherein such Parish, Township, or Place lay?

There was expended in Litigations, about Settlements, Removals, and other Disputes concerning the Poor, within that Year, as near as the same can be estimated, the Sum of £.

Of which there was expended in Disputes with Parishes, Townships, or Places, not within the County, Riding, Division, Soke, Franchise, Liberty, City, or County Corporate, wherein such lay the Sum of

£.

Form of the Oath

“ YOU shall swear, That the Answer and Return now made by you to the several Questions contained in the Schedule thereunto annexed, is a full and true Answer to the said Questions, to the best of your Knowledge and Belief.”

C A P. XLI.

An Act for granting a Bounty upon Flax Seed, the Growth of the *United Provinces*, or of the *Austrian Netherlands*, imported into *Ireland*, for a limited Time.

Preamble.

Act 15 Geo. III.
recited.

“ WHEREAS, by an Act of Parliament, made in the fifteenth Year of his Majesty's Reign (intituled, *An Act for allowing the Cloathing and Accoutrements necessary for his Majesty's Forces, paid out of his Majesty's Revenues arising in the Kingdom of Ireland, to be exported from thence to the Places where such Forces are ordered to serve; and for granting a Bounty upon Flax Seed imported into Ireland, for a limited Time*), reciting, That, by virtue of an Act of Parliament, made in *Ireland*, the third Year of his Majesty's Reign, a Premium or Bounty of five Shillings per Hogthead is allowed and paid out of the Revenue of that Kingdom upon the Importation of Flax Seed, which Bounty was not, at that Time, sufficient to answer the good Purposes intended thereby, and it was expedient that some further Encouragement should be given for a limited Time, to induce the Importation of Flax Seed into *Ireland*, in order to promote and encourage the Linen Manufactures of that Kingdom; it is therefore, amongst other Things, enacted by the said recited Act, That, from and after the first Day of *January*, one thousand seven hundred and seventy-six, for and during the Space of two Years, and from thence to the End of the then next Session of Parliament, a further Bounty of five Shillings per Hogthead shall be allowed for all Flax Seed imported into the Kingdom of *Ireland*; and that it shall and may be lawful for the Commissioners of his Majesty's Customs in *England*, or any four or more of them, to order the said Bounty thereby granted, to be paid by the Receiver-general of the Customs, out of any Money in his Hands, arising by any of the Duties or Revenues under their Management, to the Importer or Importers of such Flax Seed, or to his or their Assigns, duly authorised to receive the same, upon his or their producing a Certificate under the Hand and Seal of Office of the Collector and Comptroller of the Customs at the Port in *Ireland*, where such Flax Seed was imported and landed, certifying the Number of Hogtheads so landed, with the Name of the Ship and Master in which, and the Place from whence, and by whom, and at what Time the same was imported, and that the Bounty granted by the before mentioned Act of Parliament, made in *Ireland*, had been paid and allowed for the same: And whereas, by an Act of Parliament, made in *Ireland*, in the sixteenth Year of his Majesty's Reign, intituled, *An Act to amend an Act, passed in the third Year of his Majesty's Reign, (intituled, "An Act for the continuing the Encouragement given by former Acts of Parliament, to the Flaxen and Hempen Manufactures")* a Bounty of five Shillings per Hogthead is allowed, and paid out of the Revenue of that Kingdom, upon the Importation of Flax Seed, of the Growth of the *United Provinces*, or of the *Austrian Netherlands*, from the first Day of *January*, one thousand seven hundred and seventy-six, until the first Day of *May*, one thousand seven hundred and seventy-eight, subject to the several Clauses, Regulations, and Restrictions, contained in the said Act of Parliament, made in *Ireland*, in the third Year of his Majesty's Reign, concerning the Bounties therein given and provided: And whereas, in order to encourage and promote the Linen Manufactures in *Ireland*, it is deemed expedient in like Manner to extend the Bounty granted by the said recited Act of Parliament, made in this Kingdom, in the fifteenth Year of his Majesty's Reign, to all Flax Seed, of the Growth of the said *United Provinces*, and of the *Austrian Netherlands*, imported from thence into *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 a Bounty of five Shillings per Hogthead shall be allowed, for all Flax Seed, of the Growth

Recital of an Act of the Parliament of *Ireland*, 16 Geo. III.

Growth of the said *United Provinces*, or of the *Austrian Netherlands*, which hath been, or shall be, imported from thence into the Kingdom of *Ireland*, from and after the said first Day of *January*, one thousand seven hundred and seventy-six, for and during the Space of two Years, and from thence to the End of the then next Session of Parliament; and it shall and may be lawful for the Commissioners of his Majesty's Customs in *England*, or any four or more of them, to order the said Bounty, granted by this Act, to be paid by the Receiver-general of the Customs out of any Money in his Hands, arising by any of the Duties or Revenues under their Management, to the Importer or Importers of such Flax Seed, or to his or their Assigns, duly authorised to receive the same, upon his or their producing a Certificate under the Hands and Seal of Office, of the Collector and Comptroller of the Customs at the Port in *Ireland*, where such Flax Seed was imported and landed, certifying the Number of Hogsheads so landed, with the Name of the Ship and Master in which, and the Place from whence, and by whom, and at what Time, the same was imported, and that the Bounty granted by the before mentioned Act of Parliament, made in *Ireland* in the sixteenth Year of his Majesty's Reign, had been paid and allowed for the same.

A Bounty of 5s. per Hogshead on all Flax-seed of the Growth of the *United Provinces*, &c. imported into *Ireland* after Jan. 1, 1776, for two Years.

C A P. XLII.

An Act for allowing Corn, Grain, and Flour, imported into the Port of *Preston*, to be landed without Payment of the Duties, under the like Restrictions as Corn, Grain, and Flour is allowed to be landed at the several Ports mentioned in an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act to regulate the Importation and Exportation of Corn*.

WHEREAS by an Act, made in the thirteenth Year of the Reign of his present Majesty, (intituled, *An Act to regulate the Importation and Exportation of Corn*) it is enacted, That in case any Wheat or Wheat Flour, Rye, Pease, Beans, Barley, Beer, Bigg, or Oats, shall be imported into any or either of the Ports in the said Act particularly mentioned, at any time when the Duties not repealed by the said Act shall be due and payable for such Species of Corn, Grain, or Flour respectively; the same, upon due Entry thereof, may be forthwith landed from on Board the Ship or Vessel, in which such Species of Corn, Grain, or Flour, shall be so imported, in the Presence of the proper Officer or Officers of the Customs, without Payment of the said Duties, under certain Restrictions and Regulations, in the said Act mentioned and prescribed: And whereas it is expedient that Corn, Grain, and Flour, imported into the Port of *Preston* at any Time when the Duties not repealed by the said Act shall be due and payable for such Species of Corn, Grain, or Flour respectively, should in like Manner be landed without Payment of the said Duties; may it therefore please your Majesty that it may be enacted; and he it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Wheat, or Wheat Flour, Rye, Pease, Beans, Barley, Beer, Bigg, or Oats, shall be imported into the said Port of *Preston*, at any Time when the Duties not repealed by the said Act shall be due and payable for such Species of Corn, Grain, or Flour respectively; the same, upon due Entry thereof, may be forthwith landed from on Board the Ship or Vessel in which such Species of Corn, Grain, or Flour, shall be so imported, in the Presence of the proper Officer or Officers of the Customs, without Payment of the said Duties; and such Corn, Grain, and Flour, shall be subject and liable to be warehoused, and to be delivered in the same Manner, and under and subject to the like Securities, Conditions, Regulations, and Restrictions, as Corn, Grain, and Flour, imported into any or either of the several Ports mentioned in the said Act are subject and liable to, as fully and effectually to all Intents and Purposes, as if the said Port of *Preston* had been included in the said Act; any Law, Custom, or Usage, to the contrary thereof, in any wise notwithstanding.

Preamble.
Act 13. Geo. III.
recited.

The said Act extended to the Port of *Preston*, with respect to importing Wheat, Rye, &c.

C A P. XLIII.

An Act to authorise, for a limited Time, the Punishment by Hard Labour of Offenders who, for certain Crimes, are or shall become liable to be transported to any of his Majesty's Colonies and Plantations.

WHEREAS the Transportation of Convicts to his Majesty's Colonies and Plantations in *America*, now in Use within that Part of *Great Britain* called *England*, by virtue of the several Statutes authorising such Transportation, is found to be attended with various Inconveniencies, particularly by depriving this Kingdom of many Subjects whose Labour might be useful to the Community, and who, by proper Care and Correction, might be reclaimed from their evil Courses: And whereas, until some other more effectual Provisions, in the Place of Transportation to his Majesty's Colonies and Plantations in *America*, can be framed, such Convicts, being Males, might be employed with Benefit to the Public in raising Sand, Soil, and Gravel from, and cleansing the River *Thames*; or being Males unfit for so severe a Labour, or being Females, might be kept to hard Labour of another Kind within *England*; 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 Male Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Session of the Peace for any County, Riding, Division, City, Liberty, Borough, Town, or Place, within that Part

Preamble.

Any Male convicted in *England* of any Crime punishable by Trans-

Portation to America, may, instead thereof, be kept to Hard Labour in cleansing the River Thames, &c. for any Term not less than three, nor more than ten Years.

In case his Majesty should extend his Mercy to any Male convicted of any Felony for which he is liable to suffer Death, the Judge may order the Offender to be kept to Hard Labour, for the Time specified by the Secretary of State.

When any Offender shall be ordered to Hard Labour, the Clerk of the Assize, &c. shall give a Certificate to the Sheriff or Gaoler, who shall deliver such Offender and Certificate to the Overseer, &c.

Expences incurred in Conveyance of Offenders to be paid by the County, &c.

Overseer to have the same Power over Offenders in his Custody as a Sheriff or Gaoler.

Offenders to be kept to Hard Labour in raising Sand and Gravel from the Thames, &c.

Offenders not to be employed in delivering Ballast to Masters of Ships, &c.

Offenders to be fed with Bread, coarse Food, and Water or Small Beer.

No Person to supply them with any other Food, &c. on Penalty of 40s.

of *Great Britain* called *England*, be lawfully convicted of Grand or Petit Larceny, or any other Crime for which he shall be liable by Law to a Sentence of Transportation to any of his Majesty's Colonies or Plantations in *America*, it shall and may be lawful for the Court before whom any such Person shall be so convicted, or any Court held for the same Place with like Authority, if such Court shall think fit, in the Place of such Punishment by Transportation, to order and adjudge that such Person shall be punished by being kept to Hard Labour in the raising Sand, Soil, and Gravel from, and cleansing the River *Thames*, or any other Service for the Benefit of the Navigation of the said River, under the Management and Direction of an Overseer or Overseers, to be appointed by the Justices of the Peace for the County of *Middlesex*, at their Quarter or other General Sessions of the Peace, for the same Term of Years as the Transportation for the said Offence might by Law have been adjudged, or for such shorter Term as such Court shall think fit to order and adjudge; provided that the same shall in no Case be less than three Years, or more than ten Years.

II. And be it further enacted, That where any Male Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Session of the Peace for any County, Riding, Division, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of any Robbery, or other Felony, for which he shall by Law be liable to suffer Death without Benefit of Clergy, and his Majesty shall be graciously pleased to extend the Royal Mercy to any such Offender, upon Condition of being kept to Hard Labour for the Term of Ten Years, or any other shorter Time to be specified, in the Custody of such Overseer or Overseers as aforesaid; and such Intention of Mercy shall be notified in Writing by one of his Majesty's Principal Secretaries of State to the Judge or Justice of Oyer and Terminer, or Gaol Delivery, in any County, City, or Place, before whom any such Offender shall be convicted or condemned, it shall and may be lawful for every such Judge or Justice of Oyer and Terminer, or Gaol Delivery, to make an Order for allowing forthwith to every such Offender the Benefit of a conditional Pardon, in the same Manner as if there was a Pardon under the Great Seal; and may and shall adjudge, that every such Offender shall be kept to Hard Labour, in the Custody of such Overseer or Overseers as aforesaid, for the Time specified in the Notification from such Secretary of State.

III. And be it further enacted, That when any Offender shall be ordered to be kept to Hard Labour, in Manner aforesaid, or as herein after is directed, the Clerk of the Assize, Clerk of the Peace, or other Clerk of the Court by which such Order shall be made, shall give to the Sheriff or Gaoler, having the Custody of such Offender, a Certificate in Writing, under his Hand, containing an Account of the Christian Name, Surname, and Age of such Offender; of his Offence, of the Court before whom he was convicted, and of the Term for which he shall be so ordered to Hard Labour; and the Sheriff, or Gaoler, having the Custody of such Offender, shall, with all convenient Speed, after the making of any such Order, and receiving of such Certificate, convey such Offender, or cause him to be conveyed, to such Place within *England*; and also deliver such Offender, or cause him to be delivered, together with the said Certificate, to such Overseer or Overseers as aforesaid; and the Overseer or Overseers, to whom any such Offender shall be so delivered, shall give a proper Receipt in Writing, under his or their Hand or Hands, which shall be a sufficient Discharge to the Sheriff, or Gaoler, so delivering such Offender.

IV. And be it further enacted, That all Expences incurred by any Sheriff or Gaoler, in the Conveyance of any such Offender as aforesaid, shall be paid by the County, Riding, Division, City, Liberty, Borough, Town, or Place, for which the Court, ordering such Punishment by Hard Labour instead of Transportation to *America*, shall be held; and the Sheriff or Gaoler shall receive the Money due for such Expences from the Treasurer for such County, Riding, Division, City, Liberty, Borough, Town, or Place, by Order of the Justices of the Peace, at their Quarterly, or other General Session, who are hereby required to make such Order accordingly.

V. And be it further enacted, That, after Delivery of any such Offender, as aforesaid, into the Custody to which he shall be adjudged, the Overseer or Overseers, who shall have the Custody of such Offender, shall, during the Term for which he shall be ordered to Hard Labour, have the same Powers over such Offender as are incident to the Office of a Sheriff or Gaoler; and in case of any Abuse of the Custody, or other Misbehaviour in Discharge of his Office, shall be liable to the same Punishment as a Gaoler; and also shall, during such Term as aforesaid, keep such Offender to Hard Labour, either in raising Sand, Soil, and Gravel from, and cleansing the *Thames*, or in any other laborious Service for the Benefit of the Navigation of the *Thames*, but at such Places only, and subject to such Directions, Limitations, and Restrictions, as the Master, Wardens, and Assistants, of the *Trinity House* shall from Time to Time prescribe.

VI. Provided nevertheless, That such Offenders shall, in no Case, be employed in delivering Tonnage of Ballast to Masters and Commanders of Ships, but only in digging, raising, and taking up, the Gravel, Sand, and Soil, from the Shelves and Sand-banks of the said River of *Thames*, and in discharging the same upon the Shore, above the High-water Mark, or in some other laborious Service for the Benefit of the Navigation of the *Thames*.

VII. And be it further enacted, That every Offender who shall be ordered to Hard Labour, in the Custody of such Overseer or Overseers as aforesaid, shall, during the Time of such Service, be fed and sustained with Bread, and any coarse or inferior Food, and Water, or Small Beer, and also clothed; and such Offender shall not, during the Term of such Service, be permitted to have any other Food, Drink, or Cloathing, than such as shall be so allotted to them; and if any Person shall supply any such Offender, at any Time during the Term of his said Service, with any Drink, Food, or Cloathing, other than such as shall be so directed or permitted, he or she so supplying shall, for every such Offence, forfeit any Sum not exceeding forty Shillings.

VIII. And be it further enacted, That if any Offender, who shall be so delivered as aforesaid to be kept to Hard Labour, shall, during the Term of such Service, refuse to perform any Labour authorized by this Act, or who shall be guilty of any other Misbehaviour or disorderly Conduct, it shall be lawful for the Overseer or Overseers having the Custody of any such Offender, to order such Whipping, or other moderate Punishment, to be inflicted upon him, as may be inflicted by Law on Persons committed to a House of Correction for Hard Labour.

IX. And be it further enacted, That every Offender who shall be delivered to be kept to Hard Labour in Manner aforesaid, shall, at the End of the Term of such Service, and upon being restored to his Liberty, receive from the Overseer or Overseers, under whom he shall have so served, such Sum of Money, not being less than forty Shillings, nor more than five Pounds, together with such decent Cloathing as the Court, into which such Returns shall be made, as herein after mentioned, shall appoint: And if any such Offender, whilst confined to Hard Labour in Manner aforesaid, shall, by his Industry and other good Behaviour, shew such Signs of Reformation, as shall induce the said Court to recommend him as an Object of his Majesty's Mercy, and it shall be thereupon signified, by a Letter from one of his Majesty's Principal Secretaries of State to the Overseer or Overseers as aforesaid, that his Majesty thinks fit, in Consideration of such good Behaviour, to shorten the Duration of such Offender's Term, such Offender shall be accordingly set at Liberty at the Time mentioned in such Letter; and shall receive a Sum of Money from his Overseer or Overseers, together with Cloathing, in the same Manner as if he had served the Whole of the Term for which he was adjudged to serve.

X. And be it further enacted, That where any Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Session of the Peace for any County, Riding, Division, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of Grand or Petty Larceny, or any other Crime, for which he or she shall be liable by Law to Transportation to any of his Majesty's Colonies in *America*, it shall be lawful for the Court, in which any such Offender shall be so convicted, or any Court held for the same Place, and with like Authority, if such Court shall think fit, in the Place of such Punishment by Transportation, to order and adjudge that such Person shall be sent to some proper Place of Confinement within the said County, Riding, Division, City, Liberty, Borough, Town, or Place, to be appointed for that Purpose in Manner herein after mentioned, there to be kept to Hard Labour, for such Term or Number of Years as such Court shall appoint, not exceeding the Term or Number of Years for which the Transportation for the said Offence might have been adjudged: Provided, That the same shall in no Case be less than three Years, or more than ten Years.

XI. And be it further enacted, That where any Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, or at any Quarter, or other General Session of the Peace, for any County, Riding, Division, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of any Robbery, or other Felony, for which he or she shall by Law be liable to suffer Death without Benefit of Clergy, and his Majesty shall be graciously pleased to extend the Royal Mercy to any such Offender, upon Condition of being kept to Hard Labour at the Place of Confinement to be appointed for that Purpose in Manner herein after mentioned, and such Intention of Mercy shall be notified in Writing, by one of his Majesty's Principal Secretaries of State, to the Judge or Justice of Oyer and Terminer, or General Gaol Delivery, in any County, City, or Place, before whom such Offender shall be convicted or condemned; it shall and may be lawful for every such Judge or Justice of Oyer and Terminer, or General Gaol Delivery, to make an Order for allowing forthwith to every such Offender the Benefit of a conditional Pardon, in the same Manner as if there was a conditional Pardon under the Great Seal, and may and shall adjudge that every such Offender shall be kept to Hard Labour for the Time specified in the Notification from such Secretary of State.

XII. And be it further enacted, That when any Offender shall be ordered to be kept to Hard Labour in Manner aforesaid, the Clerk of Assize, Clerk of the Peace, or other Clerk of the Court by which such Order shall be made, shall give to the Sheriff or Gaoler, having the Custody of such Offender, a Certificate in Writing under his Hand, containing an Account of the Christian Name, Surname, and Age of such Offender, of his or her Offence, of the Court before whom he or she was convicted, and of the Term for which he or she shall be ordered to Hard Labour; and the Sheriff or Gaoler shall, with all convenient Speed after the making of any such Order, and receiving of such Certificate, convey such Offender, or cause him or her to be conveyed, to the proper House of Correction, and deliver such Offender, or cause him or her to be delivered, together with the said Certificate, into the Custody of the Master or Keeper of such House of Correction; and the Person or Persons to whom such Offender shall be so delivered, shall give a proper Receipt in Writing, under his or their Hand or Hands, which shall be a sufficient Discharge to the Sheriff, Gaoler, or other Person, so delivering any such Offender; and all Expences incurred by any Sheriff or Gaoler, in the Conveyance of any such Offender to the House of Correction in Manner aforesaid, shall be paid by the County, Riding, Division, City, Liberty, Borough, Town, or Place, for which the Court ordering such Punishment by Hard Labour shall be held, in the same Manner as is herein before directed in respect to Offenders ordered to Hard Labour in removing Sand, Soil, and Gravel from, and cleansing the River *Thames*.

XIII. And be it further enacted, That the Justices of the Peace for every County, Riding, Division, City, Liberty, Borough, Town, and Place, within that Part of *Great Britain* called *England*, shall, at the first Quarter or other General Session of the Peace, which shall be held next after the passing of this Act, take into Consideration the State of their respective Houses of Correction, in order that proper Places within the same, or elsewhere, within each respective County, Riding, Division, City, Liberty, Borough, Town, and Place, may be prepared for the Reception of such Offenders as shall be ordered to Hard Labour

Offenders who refuse to work, or otherwise misbehave themselves, may be whipped, &c.

Every Offender, at the End of his Confinement, shall receive a Sum of Money, not less than 40s. nor more than 5l. together with decent Cloathing.

His Majesty, on the good Behaviour of Offenders, may shorten the Term of their Confinement.

Any Person, convicted of any Crime punishable by Transportation, may be sent to some Place of Confinement within the County, &c. and there kept to Hard Labour for not less than three Years, nor more than ten Years.

In case his Majesty should extend his Mercy to any Person guilty of any Felony punishable by Death, the Judge may order the Offender to be kept to Hard Labour, for the Time specified by the Secretary of State.

When any Offender shall be ordered to Hard Labour, the Clerk of Assize, &c. shall give a Certificate to the Sheriff or Gaoler, who shall deliver such Prisoner, &c. to the Keeper of the proper House of Correction; who shall give a Receipt for the same.

Expences of Conveyance to be paid by the County, &c. Justices for every County, &c. in England to prepare their Houses of Correction for Reception of Offenders;

and to give Direction: for their Government, and keeping them to Hard Labour.

Penalty on Persons rescuing Offenders ordered to Hard Labour;

or assisting in an Attempt to make an Escape, &c.

Penalty on Persons ordered to Hard Labour who shall escape from Confinement, &c.

Method of Trial and Conviction of Offenders for making Escape.

Clerk of Assize, &c. to be paid by the Treasurer of the County, &c.

Offenders confined by virtue of this Act, to be kept separate, &c.

Overseers of the Places of Confinement appointed by this Act to make Returns, on Oath, of the Names of the Persons, &c. committed to their Custody. When, and to whom, the Returns to be made.

Penalties of this Act how to be recovered and applied.

Labour therein, by Force of this Act, and for the Purposes aforesaid: and for keeping such Offenders to Hard Labour, and for their Employment, Regulation, and Government, shall give such Directions, and make such Orders, as such Justices shall think most fit, and proper, and they are authorized to give or make by the Laws now in Force, in respect to Houses of Correction, or by any of them: And the Keeper of the Place of Confinement to be appointed and prepared shall, in case of any Abuse of the Custody or other Misbehaviour in Discharge of his Office, be liable to the same Punishment as a Gaoler.

XIV. And be it further enacted, That if any Person shall rescue any Offender, who by Force of this Act shall be ordered to Hard Labour, in removing Sand, Soil, and Gravel from, and cleansing the River Thames, or in any Place of Confinement appointed by virtue of this Act, either in his, or her Conveyance to the Place appointed for such Hard Labour, or whilst such Offender under this Act shall be in the Custody of the Person or Persons appointed for that Purpose; or if any Person shall be aiding or assisting in any such Rescue, every such Person shall be liable to the like Punishment, that is inflicted for Breach of Prison in Cases of Felony: And if any Person, not having the actual Custody of any such Offender, shall be aiding and assisting in any Escape, or shall, by supplying Arms, or Instruments of Disguise or Escape, or otherwise in any Manner be aiding and assisting in the Attempt to make any such Escape, though no such Escape shall be made, every such Person shall forfeit the Sum of twenty Pounds; which said Penalty of twenty Pounds shall be recoverable in any of his Majesty's Courts of Record, by any Person or Persons who shall sue for the same, by Bill, Plaint, Action of Debt, Information, or otherwise, whetein no Effoins, Protections, or Wager of Law, shall be allowed.

XV. And be it further enacted, That if any Person, who shall be ordered to Hard Labour under this Act, either in removing Sand, Soil, and Gravel from, and cleansing the River Thames, or at any Place of Confinement appointed by virtue of this Act, shall, at any Time during the Term for which he or she shall be so ordered to Hard Labour, break Prison, or escape from the Place of his or her Confinement, or from the Person or Persons having the lawful Custody of such Offender, he or she so breaking Prison or escaping, shall on Conviction, for the first Escape, be punished by doubling the Term of the Service and Hard Labour in which he or she was at the Time of such Escape; and on Conviction for a second Escape, he or she shall suffer Death, without Benefit of Clergy, and shall be liable to the same Punishment as a Gaoler.

XVI. And, to the Intent that such Convictions or Convictions may be had with as little Trouble and Expence as possible, be it further enacted, That every Offender or Offenders, escaping in Manner aforesaid, may and shall be tried before the Justices of Assize, Oyer and Terminer, or Gaol Delivery, for the County, City, or Liberty, where he, she, or they, shall be apprehended and taken; and that the Clerk of the Assize and Clerk of the Peace, where such Orders of Confinement, or Hard Labour shall respectively be made, and their Successors for the Time being, shall, at the Request of the Prosecutor, or any other in his Majesty's Behalf, certify a Transcript briefly and in few Words, containing the Effect of every Indictment and Conviction of such Man or Woman, and of the Order made for his or her Confinement, or being sent to Hard Labour respectively, to the Justices of Assize, Oyer and Terminer, and Gaol Delivery, where such Man or Woman shall be indicted for any such Escape from his, or her Place of Confinement, or of Hard Labour respectively (not taking for the Time, above the Sum of two Shillings and Six pence); which Certificate being produced in Court, shall be a sufficient Proof, that such Person or Persons have before been convicted and ordered to such Place of Confinement, or Hard Labour respectively.

XVII. Provided always, and be it further enacted by the Authority aforesaid, That such Clerk of the Assize, Clerk of the Peace, or other Clerk of the Court, and the Sheriff or Gaoler, shall be paid by the Treasurer of the County, Riding, Division, City, Liberty, Borough, Town, or Place, in which the Offence shall be committed, as hath been usually paid for the Order of Transportation of any Offender to a distant Part of the Kingdom.

XVIII. Provided always, That the Offender or Offenders which shall be sent to, and shall be confined by virtue of this Act, be directed to be confined in such Places to be appointed as aforesaid, shall be kept separate from, and shall not be permitted or suffered to intermix with, any Person or Persons confined for any Offence under the Degree of Petit Larceny, or other Crime not making the Person or Persons having committed the same, by the Laws of this Realm, subject to a Sentence of Transportation.

XIX. And be it further enacted by the Authority aforesaid, That the Overseers of the several Places of Confinement to be appointed by virtue of this Act, shall, from Time to Time, make Returns, specifying the Names of all and every the Person or Persons who shall be committed to their Custody, the Offences of which they shall have been guilty, the Court before which each Person was convicted, the Sentence of the Court, the Age, bodily State, and Behaviour of every such Convict while in Custody; and also the Names of all and every the Person or Persons who shall have died under such Custody, or shall have escaped from such Place of Confinement, or shall have been released from thence by Order from one of his Majesty's principal Secretaries of State; such Returns, from the Overseers of the Convicts to be employed in laborious Service for the Benefit of the Navigation of the Thames, to be made the first Day of every Term, to his Majesty's Court of King's Bench at Westminster; and from the Overseers of the other Places of Confinement to be appointed by virtue of this Act, to the Justices of Assize at each Assize, and to the Justices of the Peace at each Quarter or other General Sessions of the Peace, for the County, City, Riding, Division, or Place, within which such Place of Confinement shall be situate; and that every such Return shall be verified on the Oath of the Person making the same; such Oath to be made before the Court into which such Return shall be delivered.

XX. And be it further enacted, that any pecuniary Penalties created by this Act, for the Recovery of which no Mode is herein before prescribed, shall be recoverable before two or more Justices of the Peace, in the County, Riding, Division, City, Liberty, Borough, Town, or Place, in which the Offence shall be committed, on Proof of the Offence, by the Oath or Oaths of one or more credible Witness or Witnesses, or on Confession of the Offender, and shall belong to the Informer or Informers prosecuting for the

the same; and in case of Non-payment, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of such Justices; and the Overplus of the Money raised, after deducting the Penalty, and the Expences of the Distress and Sale, shall be rendered to the Owner; and for want of sufficient Distress, the Offender shall be sent by such Justices to the Prison of such County, Riding, Division, City, Borough, Town, or Place, for such Term, not exceeding six Months, as such Justices shall think most proper.

XXI. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person or Persons for any Thing done in pursuance of this Act, such Person or Persons may plead 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 by the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action or Actions after Issue joined; or if on Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as any Defendants have by Law in other Cases; and though a Verdict shall be given to any Plaintiff in any such Action or Suit as aforesaid, such Plaintiff shall not have Costs against the Defendant, unless the Judge, before whom the Trial shall be, shall certify his Approbation of the Verdict.

XXII. And be it further enacted, That all Actions, Suits, and Prosecutions, to be commenced against the Person or Persons for any Thing done in pursuance of this Act, shall be laid and tried in the County or Place where the Fact was committed, and shall be commenced within six Months after the Fact committed, and not otherwise.

XXIII. And be it further enacted, That this Act shall continue to be in Force for two Years, and also to the End of the then Session; or if the said Term of two Years shall not determine during any Session, then till the End of the then next ensuing Session of Parliament.

Persons prosecuted under this Act, may plead the General Issue.

Treble Costs.

Limitation of Actions.

Continuance of this Act.

C A P. XLIV.

An Act for suspending, for a limited Time, so much of an Act, made in the thirteenth Year of his present Majesty's Reign, 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*, as is to subject Carriages having the Fellies of the Wheels thereof of less Breadth or Gauge than six Inches, to the Payment of Double Tolls; and for vacating Contracts for leasing Tolls.

WHEREAS by an Act, made in the thirteenth Year of his present Majesty's Reign, 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, from and after the twenty-ninth Day of September one thousand seven hundred and seventy-six, a Double Toll shall be paid for the Passage through Turnpike-gates, of all Carriages having the Fellies of the Wheels thereof of less Breadth or Gauge than six Inches from Side to Side: And whereas great Inconveniences would arise if the said Provision should take Effect on the said twenty-ninth Day of September; 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 enacts that the Trustees appointed by virtue or under the Authority of any Act of Parliament made for repairing or amending Turnpike Roads, or such Person or Persons as are authorized by them, shall and may and are thereby required to demand and take for every Waggon, Wain, Cart, or Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than six Inches from Side to Side, at the least, at the Bottom or Sole thereof, and for the Horses or Beasts of Draught drawing the same, from and after the twenty-ninth Day of September one thousand seven hundred and seventy-six, Double the Tolls or Duties which are or shall be payable for the same respectively, by any Act or Acts of Parliament made for amending or repairing Turnpike Roads, before any such Waggon, Wain, Cart, or Carriage respectively, shall be permitted to pass through any Turnpike Gate or Gates, Bar or Bars, where Tolls shall be payable by virtue of any such Acts, shall be, and the same is hereby declared to be, suspended until the twenty-ninth Day of September one thousand seven hundred and seventy-eight.

II. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for such Trustees, and they are hereby required to release all Lessees of Tolls within their respective Jurisdictions, from their respective Contracts, at the End of the current Year, if such Lessees shall desire the same.

Preamble, Act 13 Geo. III. recited.

Part of the said recited Act suspended for two Years.

Lessees of Tolls may be released from their Contracts at the End of the current Year.

C A P. XLV.

An Act for enabling his Majesty to raise the Sum of One Million, for the Uses and Purposes therein mentioned.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, having taken into our most serious Consideration your Majesty's most gracious Message, signifying that your Majesty, relying on the experienced Zeal and Affection of your faithful Commons, and considering that, during the present Troubles in North America, Emergencies may arise

Preamble.

which may be of the utmost Importance, and be attended with the most dangerous Consequences, if proper Means should not be immediately applied to prevent or defeat them, is desirous that we will enable your Majesty to defray any extraordinary Expences incurred, or to be incurred, on account of Military Services for the Year one thousand seven hundred and seventy-six, and as the Exigency of Affairs may require; and that your Majesty, having judged it expedient to issue your Royal Proclamation, in pursuance of an Act of Parliament, passed in the fourteenth Year of your Reign, for calling in and recoining the Remainder of the deficient Gold Coin, doubts not but that we will enable your Majesty to make good the Charges which shall be incurred in that Service, and which cannot at this Time be ascertained; have resolved to give and grant unto your Majesty the Sum of One Million for those Purposes; 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 it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorise and empower the Commissioners of his Majesty's Treasury now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and seventy-seven, to cause or direct any Loans to be taken or received at his Majesty's Exchequer from any Person or Persons, Natives or Foreigners, Body or Bodies Politic or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the said Sum of One Million, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seventy-six*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

Credit of Loan granted to his Majesty for 1,000,000 l. Treasury may raise the same by Loans or Exchequer Bills, in like Manner as is prescribed by the Malt Act of this Session, concerning Loans, &c.

The Clauses, &c. in the said Act relating to Loans or Exchequer Bills, (Exception) extended to the Loans, &c. to be made in pursuance of this Act.

Principal and Interest, with Charges, to be paid out of the next Supplies, and if none sufficient be granted before July 5, 1777, then to be paid out of the Sinking Fund;

and the Monies so issued to be replaced out of the first Supplies.

The Bank empowered to advance on the said Credit of Loan any Sums not exceeding 1,000,000 l.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities, contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills authorised to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act), shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorised by the said last-mentioned Act, or as if the said several Clauses or Provisoos had been particularly repeated and re-enacted in the Body of this Act.

III. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate, and Charges, incident to or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies, which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and seventy-seven, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate, and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies as, at any Time or Times at or after the said fifth Day of *July*, shall be or remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus-monies, and other Revenues composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling, and discharging, such Loans or Exchequer Bills, Interest, Premium, Rate, and Charges, until the Whole of them shall be paid off, cancelled, and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

IV. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses, Overplus-monies, or other Revenues composing the Sinking 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.

V. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majesty, in like Manner, at the Receipt of the Exchequer, upon the Credit of the Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of One Million; any Thing in an Act, made in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds, toward carrying on the War against France*, to the contrary thereof in any-wise notwithstanding.

C A P. XLVI.

An Act to enable the Commissioners of his Majesty's Treasury to order and allow, out of the Money arising by the Coinage Duty, a certain Sum therein mentioned, for the Expence of prosecuting Offenders against the Laws relating to the Coin, over and above the Sum yearly allowed for that Purpose.

WHEREAS by an Act, made in the fifteenth Year of the Reign of his Majesty King George the Second (intituled, *An Act for the more effectual preventing the counterfeiting of the current Coin of this Kingdom, and the uttering or paying of false or counterfeit Coin*), it is, amongst other Things, enacted, That the Lord High Treasurer, or Lords Commissioners of the Treasury for the Time being, shall and may order and allow, out of the Money arising by the Coinage Duty, such Sum of Money, for defraying the Expences of prosecuting Offenders against the Laws relating to the Coin, as he or they shall see fit, provided that the said Expences do not, in any one Year, exceed the Sum of six hundred Pounds: And whereas the Expences necessarily incurred in prosecuting such Offenders, during the Course of the Years one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four, amounted to the Sum of one thousand one hundred and fifty-two Pounds and Eight-pence Halfpenny, over and above the Sum of six hundred Pounds allowed in each of those Years for that Service; and as the Law now stands, the said Sum of one thousand one hundred and fifty-two Pounds and Eight-pence Halfpenny cannot be brought to Account; 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 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, shall and may, out of the Money arising by the Coinage Duty, order and allow such further Sum, not exceeding one thousand one hundred and fifty-two Pounds and Eight-pence Halfpenny, for the Expences of the said Prosecutions; during the Course of the said Years one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four, over and above the said six hundred Pounds limited yearly; the said recited Act, or any other Law, Statute, Provision, or Usage, to the contrary notwithstanding.

Preamble.

Act 15 Geo. III. recited.

1,152 l. 0s. 8d. Halfpenny extraordinary to be allowed for defraying Expences of Prosecutions relating to the Coin, during the Years 1772, 1773, and 1774.

C A P. XLVII.

An Act for the further Encouragement of the Whale Fishery carried on from Great Britain and Ireland, and the British Dominions in Europe; and for regulating the Fees to be taken by the Officers of the Customs in the Island of Newfoundland.

WHEREAS by an Act, made in the last Session of Parliament, intituled, *An Act for the Encouragement of the Fisheries carried on from Great Britain, Ireland, and the British Dominions in Europe, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season*, certain Bounties were granted to induce his Majesty's European Subjects to carry on the Whale Fishery in the Gulph of Saint Lawrence, or on the Coast of Labrador, Newfoundland, or in any Seas to the Southward of the Greenland Seas, and Davis's Straights: And whereas a valuable Whale Fishery has been lately discovered in the Seas to the Southward of the Latitude of forty-four Degrees North; for carrying on which it is necessary that the Ships to be employed therein should be fitted out at a different Season of the Year from that mentioned in the said in Part recited Act, and it is just and expedient that the like Bounties should be granted to Ships so fitted out and employed in such Fishery: 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 several Bounties hereafter mentioned shall be allowed annually for eleven Years, for five Vessels which shall be employed in the said Fishery in the Seas to the Southward of the Latitude of forty-four Degrees North, under the Limitations and Restrictions herein after expressed; (that is to say) Such Vessels shall appear by their Register to be British built, and owned by his Majesty's Subjects residing in Great Britain or Ireland, or the Islands of Guernsey, Jersey, or Man, and navigated with Three-fourths of his Majesty's Subjects of Great Britain or Ireland, or the Islands of Guernsey, Jersey, or Man, besides the Master, and shall be fitted and cleared out from some Port in Great Britain or Ireland, or the Islands of Guernsey, Jersey, or Man, after the first Day of August and before the first Day of November one thousand seven hundred and seventy-six, and between the first Day of August and the first Day of November in each succeeding Year, and shall take and kill one Whale at the least in the said Seas, to the Southward of the said Latitude of forty-four Degrees North, and shall return, before the first Day of August next following in each Year, to some Port in England, with the Oil of such Whale or Whales so taken as aforesaid; and on the Master and Mate of such Vessel, and two of the Mariners belonging to her, making Oath before the Collector and Comptroller of the Customs at the Port of her Arrival (which Oath they are hereby authorized and required to administer), that such Oil is the Produce of one or more Whale or Whales taken and killed by the Crew then belonging to such Vessel, mentioning the Time when she departed from Great Britain or Ireland, or the Islands of Guernsey, Jersey, or Man, and from what Port, and the Time and Place where such Whale or Whales was or were taken and killed, such Oil may be landed without Payment of any

Preamble.

Act 15 Geo. III. recited.

Bounties to be allowed, for 11 Years, to Vessels fitted out from Great Britain, &c. for the Whale Fishery in the Seas Southward of Lat. 44 Degrees North.

Duty whatsoever; and the Collector and Comptroller of such Port shall thereupon forthwith transcribe such Oath to the Commissioners of his Majesty's Customs at London, any four or more of whom are hereby authorized and required to order the Receiver general of his Majesty's Customs to pay out of any Money in his Hands, arising by any Duties under their Management, for the Vessel which shall first arrive in each Year, with the greatest Quantity of Oil so taken as aforesaid, five hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year, with the next greatest Quantity of Oil so taken as aforesaid, four hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year, with the next greatest Quantity of Oil so taken as aforesaid, three hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year, with the next greatest Quantity of Oil so taken as aforesaid, two hundred Pounds; and for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, one hundred Pounds; the said Oil so to be imported by each of the said Vessels being the Produce of one Whale at the least; which said several and respective Bounties shall be paid by such Receiver general, within two Months after the Expiration of each Year in which such Vessel shall arrive, to the Owner or Owners of such Vessels so intitled thereto, or their Assigns, duly authorized to demand the same.

No Bounty to be allowed to any Vessel employed in the Whale Fishery, upon certain Conditions.

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Bounty shall be allowed or paid for any Ship which, from and after the said first Day of August one thousand seven hundred and seventy-six, shall be fitted out and employed in the Whale Fishery, in pursuance of this Act, unless the whole and entire Property of such Ship or Vessel shall belong to some of his Majesty's Subjects residing in that Part of his Majesty's Dominions from whence such Ship or Vessel shall be respectively fitted and cleared out; nor to any Ship which shall be so fitted out and employed in the said Fishery, in pursuance of this Act, or the said recited Act made in the last Session of Parliament, unless such Ship shall have on board an Apprentice, indentured for the Space of three Years at the least, for every fifty Tons Burthen of such Ship, every such Apprentice not exceeding the Age of eighteen Years, nor being under fourteen, at the Time he shall be so indentured; any Thing in the said recited Act, or in this Act, or any Custom or Usage, to the contrary notwithstanding.

Act 10 Geo. III. recited.

III. And whereas by an Act of Parliament, made in the tenth Year of his Majesty's Reign, it is, amongst other Things, enacted, That, for and during the Time therein mentioned (which Act hath been since continued, and is now in Force), the Officers of his Majesty's Customs, and Naval Officers in the British Colonies or Plantations in America, shall be deemed to be intitled to, and shall and may lawfully demand and receive, such Fees as they and their Predecessors respectively were and had been generally and usually accustomed to demand, take, and receive, before the twenty-ninth Day of September one thousand seven hundred and sixty-four, and shall have the like Remedy for the same, according to the true Intent and Meaning of an Act, made in the fifth Year of his said Majesty's Reign, therein particularly recited and referred unto; And whereas, the Officers of his Majesty's Customs now established in the Island of Newfoundland not being able to discover and ascertain what Fees were taken and received by their Predecessors, before the said twenty-ninth Day of September one thousand seven hundred and sixty-four, Doubts have arisen what Fees they are intitled to demand and receive, in pursuance of the said in Part recited Act? For Remedy whereof, be it further enacted by the Authority aforesaid, That so long as the said recited Act shall be continued and remain in Force, the Officers of his Majesty's Customs in the said Island of Newfoundland shall be, and are hereby declared to have been intitled to ask, demand, take, and receive, such Fees, for all Business done by them in the Execution of their Duty, as were legally demanded and taken by the like Officers of the Customs at the Port of Halifax in Nova Scotia, on or before the first Day of January one thousand seven hundred and sixty-eight; provided the said Fees so taken are not contrary to the express Directions of any Act of Parliament made in Great Britain; and the said Officers of the Customs shall have the like Remedy for the same; and be liable to the same Penalties and Disabilities for exacting or receiving any greater or other Fees than such as are herein before allowed to be taken, as are prescribed and insisted in such Cases by the said recited Acts, or either of them, as fully and effectually, to all Intents and Purposes, as if the same had been again repeated and enacted in this present Act.

Fees to be taken by the Officers of the Customs in Newfoundland.

AN ACT, intituled, **AN ACT, intituled, O. A. B. XLVIII.**

An Act for allowing further Time for the Exportation of, or Payment of the Duties upon, Bugles, when warehoused upon Importation into this Kingdom, to empower the Commissioners of the Customs to order all Bonds relative to that Revenue, upon which no Prosecutions have been had for the Space of five Years (except Bonds for Duties, and for the good Behaviour of Officers in the Execution of their Duty), to be destroyed; and for repealing the Duties upon Feather Beds imported into this Kingdom, and for charging the same with the like Duties as are payable upon Feathers for Beds.

Preamble. Act 5 Geo. III. recited.

WHEREAS by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for more effectually supplying the Export Trade of this Kingdom to Africa with such coarse printed Callicons and other Goods of the Product or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, as are prohibited to be worn and used in Great Britain for encouraging the Importation of Bunches into this Kingdom; for the better Supply of the Export Trade thereof, and for discontinuing the Bounty payable in Great Britain; and all Bounties and Allowances in Ireland upon the Exportation of Corn, Gram, Malt, Meal, and Flour, from thence to the Isle of Man;* it is, amongst other Things, enacted and provided, That if such Bugles as shall be imported into this Kingdom, and lodged and secured in such Warehouse

Warehouse belonging to his Majesty, his Heirs and Successors, as in and by the said recited Act is prescribed, shall not be either exported, or the full Duties paid for the same, within five Years from the Importation thereof, but shall then continue and be still remaining in the said Warehouse, in such Case it shall and may be lawful for the Commissioners of the Customs, for the Time being, or any three or more of them, to cause the said Bugles, so remaining, to be publickly sold, in Manner and for the Purposes therein prescribed; And whereas it has been usual to export such Bugles from this Kingdom to Africa in Exchange for Negroes, to be carried from thence to the British Colonies in America, which Trade being much interrupted by the Disturbances, and Rebellion in several of those Colonies, great Quantities of such Bugles do now remain warehoused at several Ports in this Kingdom, and cannot be disposed of without great Loss to the Proprietors thereof, and it is therefore expedient to enlarge the Time limited by the said recited Act for the Exportation of such Bugles, or paying the Duty for the same; It is 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, for such of the said Bugles as have been imported into this Kingdom before the first Day of May one thousand seven hundred and seventy-six, and lodged and secured in any Warehouse belonging to his Majesty, as in and by the said recited Act is prescribed, and still remain unsold, the said Term of five Years shall be extended and enlarged to the Term of ten Years, from the Importation thereof, any Thing in the said recited Act, or any other Law, Custom, or Usage, to the contrary in any wise notwithstanding.

The aforesaid Term of five Years extended to 10 Years, in relation to Bugles imported before May 1, 1776, and warehoused, &c. Act 8 Anne recited.

II. And whereas by an Act of Parliament, made in the eighth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for continuing several Impositions, additional Impositions, and Duties, upon Goods imported, to raise Money by way of Loan, for the Service of the Year one thousand seven hundred and ten; and for taking off the Oversea-duty on Goods exported in British Bottoms, and for better preventing Frauds in Drawbacks upon Certificate Goods; and for ascertaining the Duties of Corans imported in Venetian Ships; and to give further Time to foreign Merchants for Exportation of certain foreign Goods imported; and to limit a Time for Prosecutions upon certain Bonds given by Merchants, and for continuing certain Fees of the Officers of the Customs; and also to prevent Embarkments by such Officers; and for appropriating the Money granted to her Majesty, and for replacing Monies paid on so to be paid for making good any Deficiencies on the Annuity Acts; and for a further Term in a like Manner in her Majesty's Plantations; and to give further Time for registering Debentures as therein mentioned; it is amongst other Things, enacted, That the Bonds commonly called *Plantation Bonds*; and the Securities entered into, in pursuance of an Act, made in the eleventh Year of the Reign of his late Majesty King William the Third, intituled, *An Act for the more effectual employing the Port, by the encouraging the Manufactures of this Kingdom, upon the Exportation of wrought Silks, and other Commodities in the said Act mentioned; in case there shall be no Prosecution for such Breach or Non-performance of the respective Conditions thereof within three Years after the Date thereof, or if upon such Prosecution Judgment be not obtained for her Majesty within the Space of two Years after the Breach is committed, then such Security shall be void, and all such Securities to and to be delivered up, by the respective Officers having the same in their Keeping, to be cancelled, without Fee or Reward; and if any Officer of his Majesty's Revenue having the Custody of any Bonds so required to be delivered up to be cancelled, shall, upon reasonable Demand, refuse or neglect to deliver up such Bonds according to the Purport and Meaning of that Act, then the Officer so offending shall be liable to answer to the Party grieved all his Damages, together with Treble Costs of Suit; And whereas there are now remaining, in the Possession of the Officers at several Custom-houses in this Kingdom, great Number of such Bonds and Securities, as well as other Bonds and Securities taken for the due Exportation of other Goods, and for the due Performance of Ships Voyages, in pursuance of divers other Acts of Parliament, which have lain for many Years without any Prosecution having been commenced thereon; no Proof being discovered that the Conditions of such Bonds have not been duly performed; though no Certificate has been produced in Discharge thereof, nor any Application made to the Officers for Delivery thereof by the Parties concerned therein, without which sufficient Provision is not made for cancelling or destroying such Bonds, though they are useless and of no Effect, and are an unnecessary Incumbrance to the Offices where they are lodged, and occasion great Perplexity and Inconvenience to the several Officers in the Execution of their Duty; for Remedy whereof; and to prevent the Discouragements which Merchants do and may lie under by the said Bonds lying out against them, by reason that the Goods may have been vended in foreign Parts, from whence no Certificate can be produced conformable to the several Statutes requiring the same, although the Conditions of the said Bonds are or shall have been performed; be it therefore further enacted by the Authority aforesaid, That, from and after the fifth Day of July one thousand seven hundred and seventy-six, all Bonds, which have been or shall hereafter be taken by any Officer, relating to the Revenue and Business of his Majesty's Customs, upon which no Prosecutions hath been or shall be commenced, for the Breach or Non-performance of any Covenant or Condition therein contained, within the Space of five Years from the Date of such Bond or Security (except Bonds for Duties, or other Money due to the Crown, and for the good Behaviour of the Officers in the Execution of their Duty) shall be void; and it shall and may be lawful for the Commissioners of his Majesty's Customs in England and Scotland, respectively, or any three or more of them, to order and direct the several Officers under their Management, having the Custody of such Bonds, to cancel and destroy the same in such Manner as they shall think proper, any Law, Custom, or Usage, to the contrary notwithstanding.**

After July 5, 1776, all Bonds, taken by any Officer, relating to the Revenue of the Customs, on which no Prosecution hath been or shall be commenced within 5 Years from the Date thereof, (Exception) shall be void.

III. And whereas by the Book of Rates, annexed to the Act of Tonnage and Poundage, made in the twelfth Year of the Reign of King Charles the Second, Feathers Beds, old or new, the Piece, are rated at two Pounds thirteen Shillings and Four-pence, and Feathers for Beds the one hundred and twelve Pounds are rated at six Pounds: And whereas, in order to evade the Payment of the Duties due and payable

The Rate of Feather Beds, according to the Book of Rates 12 Car. II. repealed; and, in lieu thereof, all Feather Beds, and Feathers heretofore entered under that Denomination, which shall be imported into this Kingdom, shall be liable to the same Duties as Feathers for Beds, according to the Rate before mentioned.

payable by Law, according to the before-mentioned Rate upon Feathers for Beds imported from foreign Parts, Attempts have been made fraudulently to bring into this Kingdom large Quantities of such Feathers, packed up in old Ticking, coarse Cloth, or other old Packages, and to enter the same under the Denomination of Feather Beds, to the great Prejudice of the public Revenue, and to the Detriment of the fair Trader; for Remedy whereof, be it further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of June one thousand seven hundred and seventy-six, the before-mentioned Rate of two Pounds thirteen Shillings and Four-pence, for Feather Beds old or new, the Piece, shall be, and the same is hereby repealed, and the several Duties payable upon the Importation of such Feather Beds, according to that Rate, shall cease, determine, and be no longer paid; and, in lieu and instead thereof, all Feather Beds, and all Feathers which have been heretofore entered under that Denomination, dressed or undressed, new or old, which shall be imported into this Kingdom in any sort of Package whatsoever, shall be liable to and pay the several Subsidies, additional Duties, and all other Imposts and Duties whatsoever, to which Feathers for Beds are and shall be liable, according to the Rate before mentioned of six Pounds for every one hundred and twelve Pounds Weight of such Feathers; which said Subsidies, Imposts, and Duties, shall be raised, levied, and collected, recovered, paid, and applied, in such Manner and Form, and by such Ways and Means, and under the like Penalties and Forfeitures, and with such Discounts, Allowances, and Drawbacks, as the former Duties upon Feathers for Beds were raised, levied, collected, paid, and applied, and were subject and liable to; and all the Powers, Penalties, Provisions, Articles, and Clauses, contained in the several Acts of Parliament which granted or continued the same respectively, shall continue in full Force and Effect, and shall be applied, practised, and executed, for the raising, levying, collecting, recovering, paying, and applying, the said Subsidies, Imposts, and other Duties, according to the true Intent and Meaning of this present Act, as fully and effectually, to all Intents and Purposes, as if the said Clauses, Powers, and Provisions, had been repeated and enacted in the Body of this present Act.

C A P. XLIX.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-six; and for further appropriating the Supplies granted in this Session of Parliament; for giving further Relief to the Widows of Commission and Warrant Officers of the Royal Navy; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders, lost, burnt, or destroyed.

Most Gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to your Majesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted, &c.

1,837,428 l. 3s. 10d granted out of the Sinking Fund, for the Service of the current Year. Treasury empowered to raise the said Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund. All Persons who shall lend any Money upon the Credit of this Act to have a Tally of Loan, with Orders for Repayment of the Money, with Interest. Orders to be registered in Course. No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, with full Costs. No undue Preference in point of Registry or Payment to be made. Auditor, &c. neglecting his Duty, liable for Damages, &c. to be recovered at Westminster. No undue Preference in the registering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not brought in Course, so as Money be reserved for the preceding Orders. Orders may be assigned. If it shall be judged more adviseable, the Treasury may raise the said Sum by Exchequer Bills instead of Loans; and the Bills in such Case to be made as those prescribed by the Malt Act of this Session. All Advantages and Penalties in the Malt Act of this Session, relating to Loans or Exchequer Bills thereby authorized to be made forth, extended to this Act. The said Exchequer Bills, Interest, and Charges, are to be paid out of the Sinking Fund. Bank authorized to lend to his Majesty the Sum of 1,837,428 l. 3s. 10d.; notwithstanding Act 5 & 6 Gul. & Mariae. The Sum of 980,441 l. 1s. 1d. 2q. Surplus of the Sinking Fund in the Exchequer on April 5, 1776;—and such Monies as shall be paid into the Exchequer between April 5, 1776, and April 5, 1777, of the Produce of the Duties on Gum Senega and Gum Arabic;—11,444 l. 4s. 3d. 1q. remaining in the Exchequer of the Duties on Rice exported, and Apples imported, Cambrics and Sugars, granted by 6 Geo. III.;—and Monies paid by Counties who have not raised Militia;—and also of Imprest-monies repaid;—shall be applied towards making good the Supply. Out of the Surplus of the Sinking Fund, 2,905 l. 8s. 2d. to be applied for supporting the necessary Expences of Forces in America, Nova Scotia, Newfoundland, and the ceded Islands, for the Year 1776;—15,072 l. 12s. towards defraying the Charge of Levy-money for the Year 1776;—and 7,938 l. 15s. towards defraying the Charge of augmenting his Majesty's Forces. The Monies arising by the Malt Tax;—Land Tax;—1,500,000 l. by Exchequer Bills;—Monies arising by the Annuities and Lottery;—one million by the Vote of Credit; and 980,441 l. 1s. 1d. 2q. remaining in the Exchequer on April 5, 1776; and such Monies as shall be paid into the Exchequer between April 5, 1776, and April 5, 1777, of the Produce of the Duties on Gum Senega and Gum Arabic; and 11,444 l. 4s. 3d. 1q.

" 1*q.* of the Monies on Rice exported, and Duties on Apples imported, and on Sugars and Cambrics, by
 " Act 6 *Geo.* III. ; and the Monies paid by Counties who have not raised Militia ; and the Imprest-monies
 " repaid ; and 1,837,428*l.* 3*s.* 10*d.* by this Act granted, out of the Excesses, &c. composing the Sink-
 " ing Fund ; together with the Money arising from the Sale of *French* Prizes taken before the Declaration
 " of War ; and also such Sums of Money as his Majesty shall direct to be applied to the public Service,
 " out of the Sale of the ceded Islands in the *West Indies* ; shall be applied to the Uses following :
 " 2,222,055*l.* 19*s.* 6*d.* towards Naval Services ; 5000*l.* to the Royal Hospital for Seamen at *Greenwich*,
 " &c. ; 1,000,000*l.* towards paying off and discharging the Debt of the Navy ; 249,655*l.* 18*s.* 6*d.* for
 " the Charges of the Office of Ordnance ; 223,171*l.* 11*s.* 11*d.* for the Charges of the Office of Ordnance
 " not provided for in 1775 ; 3,474,450*l.* 4*s.* 4*d.* 3-8ths, towards maintaining the Land Forces ; of which
 " 659,200*l.* 2*s.* 10*d.* 7-8ths of a Penny, for defraying the Charges of 20,752 effective Men, &c. and
 " 3213 Invalids, for Guards, &c. in *Great Britain*, &c. ; 720,527*l.* 3*s.* 5*d.* 3*q.* for Forces and Gar-
 " risons in *Africa* ; 42,530*l.* 19*s.* 4*d.* to make good the Difference of Pay between the *British* and *Irish*
 " Establishment of Troops serving in *America* ; 11,505*l.* 7*s.* 3*d.* for General and General Staff Officers
 " in *Great Britain* ; 89,063*l.* 11*s.* for Levy-money ; 26,783*l.* 15*s.* 2*d.* for five *Hanoverian* Battalions
 " at *Gibraltar* and *Minorca*, in the Year 1775 ; 46,838*l.* 1*s.* 9*d.* for five *Hanoverian* Battalions at *Gib-*
 " *raltar*, &c. in 1776 ; 47,400*l.* 12*s.* for a Regiment of Highlanders ; 80,984*l.* 13*s.* 2*d.* for several
 " Augmentations to his Majesty's Forces, &c. ; 381,887*l.* 4*s.* 5½*d.* for 12,394 *Hessians*, &c. ; 121,451*l.*
 " 12*s.* 1*d.* for 4,300 *Brunswickers*, &c. ; 19,006*l.* 19*s.* 3*d.* 3*q.* for a Regiment of Foot of *Hanau*, &c. ;
 " 16,483*l.* 1*s.* 0*d.* 3*q.* for a Regiment of *Ivaldeck*, &c. ; 13,973*l.* 16*s.* for the Artillery of the Land-
 " grave of *Hesse-Cassel* ; 4,244*l.* 12*s.* 6*d.* for Levy-money for the said Artillery ; 3,383*l.* 6*s.* 8*d.* for
 " the Artillery of *Hanau* ; 608*l.* for Pensions to Officers Widows, &c. ; 97,575*l.* 12*s.* to the reduced
 " Officers of the Land Forces and Marines ; 850*l.* 19*s.* 6*d.* to the two Troops of Horse Guards re-
 " duced, &c. ; 107,512*l.* 10*s.* to the Out-pensioners of *Chelsea Hospital* ; 137,418*l.* 7*s.* to six Regiments
 " of Foot from *Ireland*, &c. ; 845,165*l.* 14*s.* 8*d.* 1*q.* towards extraordinary Expences of the Land Forces,
 " &c. not provided for ; 1,250,000*l.* for discharging Exchequer Bills of last Session ; 7,406*l.* 3*d.* to
 " make good to his Majesty the like Sum issued in pursuance of the Addresses of the House of Commons ;
 " 3,086*l.* for the Civil Establishment of *Georgia* ; 4,950*l.* for the Civil Establishment of *East Florida* ;
 " 4,950*l.* for the Civil Establishment of *West Florida* ; 4,246*l.* 10*s.* 5*d.* for supporting the Civil Estab-
 " lishment of *Nova Scotia* ; 1,885*l.* 4*s.* for defraying Expences attending Surveys in *North America* ;
 " 13,000*l.* for repairing and maintaining the Forts in *Africa* ; 5,550*l.* for supporting the Civil Establish-
 " ment of *Senegambia* ; 6,996*l.* 10*s.* 10*d.* on account of the Expence of new Roads, &c. in the High-
 " lands of *Scotland* ; 2000*l.* to the Commissioners of *Westminster Bridge* ; 92,421*l.* 14*s.* 11*d.* 1*q.* to make
 " good the Deficiency of the Sum granted by Parliament in 1772, for recoining the deficient Gold Coin ;
 " 44,096*l.* 5*s.* 10½*d.* to the Sinking Fund, to make good the Deficiency on *July* 5, 1775 ; and 37,348*l.*
 " 12*s.* 7*d.* to make good the Deficiency of Grants for the Service of 1775. The said Aids to be applied
 " only to the Uses before mentioned. By Act 15 *Geo.* III. a Sum not exceeding 105,326*l.* 16*s.* 8*d.*
 " was appropriated to be paid to reduced Officers : Overplus-monies, above satisfying said Officers, to be
 " disposed of to Officers who were maimed, &c. in the late Wars, or to Officers Widows and Children,
 " as his Majesty shall direct. After *June* 24, 1776, the Allowance of the Wages, &c. of the one other
 " Seamen in every hundred shall be continued till the Number employed in the Royal Navy amounts to
 " 30,000. Barons of the Exchequer, on Proof made before them of Exchequer Bills, Lottery Tickets,
 " &c. being lost or destroyed, shall grant a Certificate of the same ; on producing whereof to the proper
 " Officers, and on giving them sufficient Security, they are to make out Duplicates of said Bills, &c. and
 " to discharge the same.

C A P. L.

An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments ; and
 to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifi-
 cations within the Time limited by Law, and for giving further Time for those Purposes ; and to in-
 demnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have
 been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid ; and
 for allowing them Time to provide Admissions duly stamped ; and to give further Time to such Persons
 as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and
 Solicitors.

" Persons who have omitted to take the Oaths appointed by Act 1 *Geo.* I. or to have qualified themselves
 " according to the Act 13 *Car.* II. or according to the 25 *Car.* II. or according to the 30 *Car.* II. or ac-
 " cording to the 8 *Geo.* I. or according to the 9 *Geo.* II. or according to the 18 *Geo.* II. or according to
 " the 6 *Geo.* III. such Persons qualifying themselves before the passing of this Act, or before *Dec.* 25, 1777,
 " are indemnified against Forfeitures, Incapacities, or Disabilities incurred by Omission or Neglect. Per-
 " sons producing Appointments and Admissions before *Dec.* 25, 1777, shall be confirmed, and qualified to
 " act as Clerk, Officer, or Member of Corporations, &c. may enjoy all Offices into which they have
 " been elected ; and shall be indemnified from all Penalties and Damages incurred by reason of Omissions.
 " This Act not to extend to restore Persons to any Office avoided by Judgment of any of the King's Courts
 " of Record. Persons who shall cause Affidavits to be made and filed, on or before the first Day of
 " *Michaelmas* Term 1776, of the actual Execution of Contracts in Writing to serve as Clerks to Attornies
 " or Solicitors, are indemnified and discharged from Penalties, Forfeitures, Incapacities, and Disabilities
 " incurred or to be incurred by Neglect or Omission."

C A P.

C A P. LI.

An Act for granting further Time for allowing the Drawback upon the Exportation of Muslins and Callicoes, imported by the *East India* Company in the Years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four; for allowing further Time to the said Company to expose to Sale such Bohea and Singlo Teas and Coffee as remained unfold on the fifth Day of *April* one thousand seven hundred and seventy-six; and also such Bohea Teas as shall be imported on or before a certain Time; and for allowing the Drawbacks on the Exportation of such Teas and Coffee; and for granting further Time for allowing the Drawback on the Exportation of Coffee imported in the Ship *Shrewsbury*, in the Year one thousand seven hundred and seventy-three.

Preamble.

WHEREAS there are great Quantities of Muslins and White Callicoes remaining in this Kingdom, which were imported by the United Company of Merchants of *England* trading to the *East Indies*, in the Years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four, and which, by reason of the Interruption given to Trade by the Rebellion and Disturbances subsisting in several of the *British* Colonies in *North America*, the Proprietors of such Goods may not be able to export within the Term of three Years from the Importation thereof, being the Time limited by Law to intitle them to receive the Drawback of the Duties thereon, and it is reasonable and necessary that some further Time should be granted for the Exportation of such Goods: 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 for all Muslins and White Callicoes which were imported by the said United Company into this Kingdom, in the Year one thousand seven hundred and seventy-three, and which shall be exported from hence before the thirtieth Day of *December* one thousand seven hundred and seventy-eight; and for all Muslins and White Callicoes imported into this Kingdom by the said United Company in the Year one thousand seven hundred and seventy-four, which shall be exported from hence before the thirtieth Day of *December* one thousand seven hundred and seventy-nine; whether such Muslins or Callicoes shall have been printed, painted, stained, or dyed, in this Kingdom or not, the Exporter or Exporters of such Goods shall be allowed and paid the same Drawbacks, under the like Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would be intitled and liable to, in case such Goods had been exported within the Term of three Years from the Importation thereof, any Law, Custom, or Usage, to the contrary notwithstanding.

The Term of three Years extended to five, in relation to the exporting of Muslins and White Callicoes, &c.

Preamble.

II. And whereas, by several Acts of Parliament now in Force for granting, continuing, and better securing the Duties payable *ad valorem* upon unrated *East India* Goods, and for ascertaining the Values thereof, according to which such Duties shall be paid, the Importer or Importers thereof are to give Security by Bond for Payment of the said Duties according to the real Values of the said Goods, to be ascertained according to the respective Acts of Parliament in that Behalf made (except Coffee), as soon as the said Goods shall be sold, and also for exposing the said Goods to Sale openly and fairly, by Way of Auction, or by Inch of Candle, within the City of *London*, within the Term of three Years after the Importation thereof: And whereas by an Act, made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for granting further Time to the United Company of Merchants of England trading to the East Indies, to expose to Sale the Singlo and Bohea Teas remaining in their Warehouses unfold on the fifth Day of April one thousand seven hundred and seventy-four, and for allowing the Drawbacks on the Exportation of such Teas*, it was (amongst other Things) enacted, That for such of the said Bohea Teas as were then imported, and which remained unfold on the said fifth Day of *April* one thousand seven hundred and seventy-four, the said United Company might, at any Time within the Space of four Years, to be computed from the Importation thereof, expose such Teas to Sale; and that after such Sale or Sales there should be allowed the like Discounts, on Payment of the Duties on such Teas, as if the same had been exposed to Sale within the Term of three Years before mentioned, or any other Time theretofore limited by Law: And whereas a great Part of the said Bohea Tea, imported by the said United Company, and remaining in their Warehouses unfold on the said fifth Day of *April* one thousand seven hundred and seventy-four, yet remains unfold; and over and besides such Bohea Tea, the said Company have since that Time imported a further considerable Quantity of Bohea Tea, which remained in their Warehouses unfold on the fifth Day of *April* one thousand seven hundred and seventy-six, and they expect to import and receive, before the thirty-first Day of *December* one thousand seven hundred and seventy-six, a further considerable Quantity of Bohea Tea in sundry Ships now coming Home from *Cbina*; and the said Company had also in their Warehouses unfold, on the said fifth Day of *April* one thousand seven hundred and seventy-six, a great Quantity of Singlo Teas and Coffee, and by reason of the Interruption given to Trade by the Disturbances in several of the *British* Colonies in *America*, the said Quantity of Bohea Tea, imported before the said fifth Day of *April* one thousand seven hundred and seventy-four, and remaining unfold on the fifth Day of *April* one thousand seven hundred and seventy-six, cannot be expected to be sold by the said Company within the Term of four Years allowed for that Purpose by the said Act of the fourteenth Year of the Reign of his present Majesty; nor can it be expected that the said other Bohea Teas herein before mentioned, the said Singlo Teas, and Coffee, should be sold by the said Company within the Term of three Years, to be computed from the respective Times of the Importation of such Teas and Coffee, and it is necessary that some further Time should be granted to the said Company to put their said Teas and Coffee up to Sale; be it therefore enacted

Recital of an Act 14 Geo. III.

by the Authority aforesaid, That as well for such of the said Bohea Teas, Singlo Teas, and Coffee, as remained unsold on the fifth Day of *April* one thousand seven hundred and seventy-six, as also for such Bohea Teas as hereafter shall be imported at any Time or Times on or before the thirty-first Day of *December* one thousand seven hundred and seventy-six, the said United Company may, at any Time within the Space of five Years, to be computed from the Importation thereof, expose fresh respective Teas and Coffee to Sale, and after such Sale or Sales there shall be allowed the like Discounts, on Payments of the respective Duties on such Teas and Coffee, as if the same had been exposed to Sale within the Term of three Years, or any other Time heretofore limited by Law, any Law, Usage, or Custom, to the contrary notwithstanding.

East India Company to be allowed usual Discounts on the Sale of all Teas and Coffee, within five Years after the Importation thereof.

III. And be it further enacted by the Authority aforesaid, That, for and during the said Term of five Years, to be computed as aforesaid, there shall be drawn back and allowed for all the said Teas and Coffee, which shall be exported from this Kingdom as Merchandise to *Ireland*, or any of the *British Colonies* or Plantations in *America*, to the Exporter or Exporters thereof, such and the same Drawbacks or Allowances, and under such Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would have been intitled to in case such Teas and Coffee had been exported within the Term of three Years from the respective Times of the Importation thereof; any Law, Usage, or Custom, to the contrary notwithstanding.

The Term of three Years extended to five, in relation to the Drawback on exporting Teas and Coffee to *Ireland* and *America*.

IV. And whereas, by reason of the said Interruption to Trade, a great Part of the Coffee imported by the said United Company in the Ship *Shrewsbury*, an other Vessel, one thousand seven hundred and seventy-three, and which hath been sold by the said United Company, is yet remaining uncleared in their Warehouses, belonging to the Buyers thereof, and the same cannot be exported within three Years after the Importation thereof, be it therefore further enacted by the Authority aforesaid, That if the said Coffee, imported by the said Ship *Shrewsbury*, in the Year one thousand seven hundred and seventy-three, and now remaining uncleared in the said Company's Warehouses, shall be exported at any Time within five Years, to be computed from the Importation thereof, there shall be drawn back and allowed for the same, to the Exporter or Exporters thereof, such and the same Drawbacks or Allowances, and under such Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would have been intitled to in case such Coffee had been exported within the Term of three Years from the Importation thereof; any Law, Usage, or Custom, to the contrary notwithstanding.

The same Time allowed for exporting Coffee, brought by the *Shrewsbury*, in 1773, and yet remaining in the Company's Warehouses.

V. Provided always, and be it further enacted by the Authority aforesaid, That if the said United Company of Merchants of *England* trading to the *East Indies*, shall at any Time neglect to keep the Market supplied with a sufficient Quantity of Tea at reasonable Prices, to answer the Consumption thereof in *Great Britain*, it shall and may be lawful to and for the Commissioners of the Treasury, or any three or more of them, or for the Lord High Treasurer for the Time being, to grant Licences to any other Person or Persons, whether by Law Public or Corporate, to import into *Great Britain*, from any Parts of *Europe*, in such and such Manner, and subject to such Duties, and under such Restrictions and Limitations, and upon such Conditions, and with such Licences, as are by any Act or Acts now in Force prescribed and directed with respect to Tea to be imported from any Parts of *Europe* by the said United Company of Merchants of *England* trading to the *East Indies*; any Thing contained in this Act to the contrary thereof in anywise notwithstanding.

In case the Company neglect to supply the Home Market with Tea, at reasonable Prices, Commissioners of the Treasury may grant Licences to any Persons to import the same.

C. A. P. XII.

And be it declared by His Majesty's natural-born Subjects, inheritable to the Estates of their Ancestors, whether Lineal or Collateral, in that Part of *Great Britain* called *Scotland*, notwithstanding their Father or Mother were Aliens.

WHEREAS by an Act, made in the Parliament of *England*, in the eleventh and twelfth Years of His Majesty's late Majesty King *William the Third*, (intituled, *An Act to enable his Majesty's natural-born Subjects to inherit the Estate of their Ancestors, either Lineal or Collateral, notwithstanding their Father or Mother were Aliens*;) it is enacted, That all and every Person or Persons, being the King's natural-born Subject or Subjects, within any of the King's Realms or Dominions, shall and may hereafter lawfully inherit, and be inheritable, as Heir or Heirs to any Honours, Manors, Lands, Tenements, or Hereditaments, and make their Pedigrees and Titles by Descent from any of their Ancestors, Lineal or Collateral, although the Father and Mother, or Fathers or Mothers, or other Ancestor of such Person or Persons, by, from, through, or under whom he, she, or they, may make or derive their Title or Pedigree, were or was, or is or are, or shall be, born out of the King's Allegiance, and but of his Majesty's Realms and Dominions, as freely, fully, and effectually, to all Intents and Purposes, as if such Father or Mother, or Fathers or Mothers, or other Ancestor or Ancestors, by, from, through, or under whom, he, she, or they, shall or may make or derive their Title or Pedigree, had been naturalized, or natural-born Subject or Subjects within the King's Dominions; any Law or Custom to the contrary notwithstanding: And whereas Doubts have arisen whether the Provision of the aforesaid Statute would take place in *Scotland* by the Rules of the Common Law thereof, and it is reasonable that the same Rule of Succession should take place in both Parts of the United Kingdom, and 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 all and every Person or Persons, being the King's natural-born Subject or Subjects within this United Kingdom, or any other of the King's Realms or Dominions, shall and may hereafter lawfully inherit, and be inheritable, in *Scotland*, as Heir or Heirs to any Honours, Manors, Lands, Tenements, or Hereditaments, and make their Pedigrees

Preamble. Act 11 and 12 Gul. III.

All Persons, being the King's natural-born Subjects, shall inherit as Heirs to any Manors, and

Lands, &c. in Scotland, although their Fathers or Mothers, &c. under whom they make their Title, were Aliens.

No Person to inherit as Heir to any Person dying possessed of Manors, Lands, &c. through any Alien Ancestor, unless the Claimant was in being at the Time of such Person's Death. Regulations with regard to the Succession, when the Descent shall fall upon a Daughter, and a Son, &c. shall afterwards be born.

and Titles by Descent from any of their Ancestors, Lineal or Collateral, although the Father and Mother, or Fathers or Mothers, or other Ancestor of such Person or Persons, by, from, through, or under whom he, she, or they shall or may make or derive their Title or Pedigree, were or was, or is or are, or shall be, born out of the King's Allegiance, and out of his Majesty's Realms and Dominions, as freely, fully, and effectually, to all Intents and Purposes, as if such Father or Mother, or Fathers or Mothers, or other Ancestor or Ancestors, by, from, through, or under whom he, she, or they shall or may make or derive their Title or Pedigree, had been naturalized or natural-born Subject or Subjects within the King's Dominions; any Law or Custom to the contrary notwithstanding.

II. Provided always, and be it further enacted, That no Person or Persons shall be hereby enabled to inherit as Heir or Heirs, or Co-heir or Co-heirs, to any Person dying seised of any Manors, Lands, Tenements, or Hereditaments, in Possession, Reversion, or Remainder, through any Alien, Ancestor or Ancestors, unless the Person or Persons so claiming or deriving his or their Title as Heir or Heirs, Co-heir or Co-heirs, was or were, or shall be in being, and capable to take the same Estate as Heir or Heirs, Co-heir or Co-heirs, at the Death of the Person who shall so last die seised of such Manors, Lands, Tenements, or Hereditaments, and to whom he, she, or they shall so claim to be Heir or Heirs, Co-heir or Co-heirs.

III. Provided also, and be it further enacted, That in case the Person or Persons who shall be in being, and capable to take, at the Death of the Ancestor so dying seised of any such Honours, Manors, Lands, Tenements, or Hereditaments, and upon whom the Descent shall be cast, shall happen to be a Daughter or Daughters of any Alien, and that the Alien Father or Mother, through whom such Descent shall be derived by such Daughter or Daughters, shall afterwards have a Son born within any of his Majesty's Realms or Dominions, the Descent so cast upon such Daughter or Daughters shall be divested in Favour of such Son, and such Son shall inherit and take the Estate, in like Manner as is allowed by the Common Law in Cases of the Birth of a nearer Heir; or in case such Father or Mother shall have no Son or Sons, but shall have one or more Daughter or Daughters afterwards born within any of his Majesty's Realms or Dominions, the Daughter or Daughters so born afterwards shall inherit and take in Coparcenary with the Daughter or Daughters upon whom the Descent shall be cast at the Death of the Ancestor last seised; any Thing in this Act contained to the contrary notwithstanding.

C A P. LIII.

An Act to continue the Corporation of the Guardians of the Poor within the *Ile of Wight*, and to confirm the Powers and Authorities now vested in the said Corporation, and to provide new Powers and Regulations for the Members of the same; and to repeal an Act, passed in the eleventh Year of the Reign of his present Majesty, intituled, *An Act for establishing a House or Houses of Industry in the Isle of Wight, for the Reception, Maintenance, and Employment, of the Poor belonging to the several Parishes and Places within the said Island.*

Preamble.
Recital of the former Act, II Geo. III.

WHEREAS by an Act, passed in the eleventh Year of the Reign of his present Majesty, intituled, *An Act for establishing a House or Houses of Industry in the Isle of Wight, for the Reception, Maintenance, and Employment, of the Poor belonging to the several Parishes and Places within the said Island*, all and every the Person and Persons qualified as therein is mentioned were incorporated, by the Name of *The Guardians of the Poor within the Isle of Wight*; and the said Guardians were thereby required to meet at a certain Time and Place therein mentioned, and being so assembled, to proceed in the Manner therein directed, by Way of Ballot, to the Choice of twenty-four of the Guardians, which twenty-four Persons so chosen should be called *Directors of the Poor within the Isle of Wight*: And whereas it was thereby enacted, That it should and might be lawful to and for the said Directors (until the acting Guardians therein directed to be chosen should be chosen) and for the said Directors and acting Guardians (after the said acting Guardians should be chosen) from Time to Time, to borrow any Sum or Sums for the Purposes of the said Act, not exceeding in the Whole the Sum of twelve thousand Pounds, at an Interest not exceeding four Pounds *per Centum per Annum*; and to assign over, in the Manner therein mentioned, all or any Part of the Poor's Rates, to be collected within the said *Ile of Wight* in pursuance of the said Act, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed: And, in order that the Sum to be borrowed for the Purposes of the said Act might be the less burthenome, it was enacted, That the several Workhouses then belonging to the several and respective Parishes in the *Ile of Wight* aforesaid, together with the Lands thereunto belonging, should be vested, and the same were thereby vested, in Sir *John Barrington* of *Swainston* in the said *Ile of Wight* Baronet, Sir *Richard Worsley* of *Appuldurcombe* in the said *Ile of Wight* Baronet, and Sir *William Oglander* of *Nunwell* in the said *Ile of Wight* Baronet, and their Heirs and Assigns for ever, upon Trust, that they the said Sir *John Barrington*, Sir *Richard Worsley*, and Sir *William Oglander*, and their Heirs, should sell and convey the said several and respective Houses and Lands to such Person or Persons as should be willing to purchase the same, and should pay the Monies arising by such Sale or Sales into the Hands of the Treasurer or Treasurers of the said Corporation, to be applied for defraying the Expences of obtaining and other the Purposes of the said Act; most of which said several Houses and Lands have been since sold and conveyed accordingly: And by the said Act his Majesty was enabled to make a Grant, under the Exchequer Seal, of such Part or Portion of the Forest of *Parkhurst*, in the said *Ile of Wight*, (of which Forest his said Majesty is in the said Act mentioned to be seised in Right of his Crown) as his

said Majesty's Governor of the *Ile of Wight* for the Time being, Sir *John Barrington* of *Swainston* in the said *Ile of Wight* Baronet, Sir *William Oglander* of *Nunwell* in the said *Ile of Wight* Baronet, *James Worley* of *Stenbury* in the said *Ile of Wight* Esquire, *Henry Roberts* of *Standen* in the said *Ile of Wight* Esquire, and the Reverend *Leonard Troughbear Holmes* of *Westover* in the said *Ile of Wight* Clerk, or the Survivors of them, or any three or more of them, (of which Number the Governor for the Time being to be one) should, within six Months from the passing of the said Act, set out and allot for the Purposes of the said Act not exceeding eighty Acres, (such Grant to be made to the Guardians of the Poor within the *Ile of Wight*, incorporated by the said Act, for such Time and Term of Years as his Majesty should think proper, notwithstanding the Limitations of the Civil List Act, made in the first Year of the Reign of her late Majesty Queen *Anne*) and subject to such Rents and Reservations, and under such Clauses and Conditions, as are usually reserved and contained in like Cases; and the Lands so to be granted should be held by the said Guardians, and their Successors, in such Manner, and to and for such Uses, Intents, and Purposes, as from Time to Time, should seem most proper and convenient for effecting and accommodating the Purposes of the said Act: And whereas, by Letters Patent under the Great Seal of *Great Britain*, bearing Date the twenty-first Day of *March* one thousand seven hundred and seventy-two, his said Majesty did demise, grant, and to farm let, unto the Guardians of the Poor within the *Ile of Wight*, for the Time being, and their Successors, all that Piece or Parcel of Land (Part of the Forest of *Parkhurst*, in the *Ile of Wight*, in the County of *Southampton*) situate, lying, and being, on the east End of the said Forest, and containing, by Estimation, eighty Acres of Ground, Statute Measure; bounded on the East by a Part of a certain Farm there, called *Dodner Farm*, and by Part of a certain other Farm there, called *Saint Cross Farm*; on the West by a certain High Road or Way, leading from the Town of *Newport*, through the said Forest, to *West Coves*; on the North by other Part of the said Forest, commonly called or known by the Name of *Verrow Common*; and on the South by other Part of the said Forest; together with all Ways, Passages, Waters, Watercourses, Profits, Commodities, Advantages, Hereditaments, and Appurtenances whatsoever, to the said Piece or Parcel of Ground belonging or in anywise appertaining (except as in the said recited Letters Patent is excepted); which said Piece or Parcel of Ground, being of an irregular Form, is more particularly described in a Plan thereof remaining in the Office of his Majesty's Surveyor General; to have, hold, and enjoy, the said Piece or Parcel of Land by the said Letters Patent granted and demised, with their and every of their Appurtenances (except as therein is excepted) unto the said Guardians and their Successors, for the Term of nine hundred and ninety-nine Years, to begin, commence, and be computed, from the Date of the said Letters Patent, from thence next ensuing, and fully to be complete and ended, at and under the yearly Rent of eight Pounds seventeen Shillings and Nine-pence, payable as therein is mentioned, and under divers Covenants and Agreements therein contained: And whereas the Directors and acting Guardians of the Poor within the said *Ile of Wight*, from Time to Time chosen and elected under and by virtue of the said Act, have made a considerable Progress in erecting a House of Industry, together with all other convenient Buildings for the Lodging and Employment of the Poor, as thereby directed, and in carrying into Execution the other Powers thereby to them granted; but find, that by reason of the Insufficiency of the Sum of Money they are authorized to borrow for the Purposes of the said Act, (and which they have already taken up and borrowed) and on Account of some Defects therein, the good Purposes intended by the said Act cannot be completely effected without the further Aid of Parliament: And whereas the Purposes thereby intended might be better effected, if the several Clauses, Powers, and Regulations, for the good Government of the Poor of the said Island, already made and provided by the said Act, and hereby further intended to be made and provided, were reduced into one Law; 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 Corporation erected by the above-recited Act, by the Name of *The Guardians of the Poor within the Ile of Wight*, shall for ever, in Fact and in Name, be one Body Politic and Corporate in Law, to all Intents and Purposes; and shall have perpetual Succession, and a Common Seal, and shall be, and be called, *The Guardians of the Poor within the Ile of Wight*, and shall be enabled to sue and plead, and be sued, by that Name, in all Courts and Places of Judicature within that Part of *Great Britain* called *England*; and by that Name shall and may, without Licence in Mortmain, purchase, take, or receive, any Lands, Tenements, or Hereditaments, of the Gift, Alienation, or Demise, of any Person or Persons, for any Estate or Interest whatsoever; and all Persons whatsoever are hereby enabled to convey or devise the same, and to give or bequeath any Money, Goods, and Chattels whatsoever, for the Use and Benefit of the Corporation aforesaid.

II. And be it further enacted, That all Persons who are now Members of the said Corporation, shall continue and be Members of the same, until the last *Thursday* in *June* one thousand seven hundred and seventy-six inclusive, and so long after as they have any of the Qualifications next herein after required, and no longer; and that, on and after the last *Thursday* in *June* one thousand seven hundred and seventy-six, all and every Person and Persons who shall then be, and from Time to Time thereafter shall become seized or possessed, in his, her, or their own, or Wife's Right, of Lands, Tenements, Hereditaments, or Tithes, either in Fee or for Life, or for a long Term of Years absolute, or determinable upon any Life or Lives, and rated to the Poor's Rates, in the respective Parishes and Places within the said *Ile of Wight*, at the Value of fifty Pounds *per Annum*; and all Heirs-apparent to Lands, Tenements, Tithes, or Hereditaments, rated as aforesaid at the Value of one hundred Pounds *per Annum*; and also all Rectors and Vicars, for the Time being, of the several Rectories and Vicarages within the said *Ile of Wight*; and also all and every Person and Persons who then, and from Time to Time thereafter, shall be rated to the

Recital of his Majesty's Letters Patent, dated March 21, 1772.

Guardians cannot effect the Purposes of the former Act, for want of Money, &c.

The old Corporation continued, &c.

May purchase or receive Lands, &c.

Who shall be Members of the Corporation.

Poor's Rates, in one or more Parish or Parishes within the said Island, for Lands, Tenements, or Hereditaments, or Tithes, occupied and enjoyed by him, her, or them, at the Value of one hundred Pounds *per Annum*, shall be, and are hereby declared to be, Members of the said Corporation, and Guardians of the Poor within the said Island.

Corporation to continue the same; and to enjoy the Ground in the Forest of Parkhurst, &c. Present Officers to continue till the last Thursday in June, 1776.

Four General Quarterly Meetings to be held every Year. Time and Place of first Meeting.

Women may act by Proxy.

Guardians to give in their Qualifications; and to defray their own Expenses. No Guardian, &c. to be concerned in any Contract. Officers to be elected at the First Meeting.

Officers to give Security.

Manner of electing acting Guardians.

III. And be it further enacted, That, notwithstanding any Alteration made by this Act in the Constitution of this Corporation, it shall continue and be one and the same Corporation, to all Intents and Purposes, with that which now exists, and has for some Time past existed, by the Name of *The Guardians of the Poor within the Isle of Wight*; and that the said Guardians of the Poor shall have, hold, and enjoy, the Piece or Parcel of Ground in the Forest of *Parkhurst*, In the *Isle of Wight*, which his Majesty, by his Letters Patent, hath granted and demised unto them, for the Term, and subject to the Rents and Covenants, in the said Letters Patent specified and contained; and that the present Directors and acting Guardians of the Poor, and their Treasurer and Clerks, and all other Officers of the said Corporation, shall be and continue in their respective Offices until the last *Thursday in June* one thousand seven hundred and seventy-six, inclusive, unless in case of Death, Resignation, or Removal.

IV. And be it further enacted, That henceforth four General Quarterly Meetings shall be held by the Directors and acting Guardians in every Year, at the Times following; (that is to say) Between the Hours of Eleven and One, on the last *Thursday in June*, the last *Thursday in September*, the last *Thursday in December*, and the last *Thursday in March*; and that the first of the said General Quarterly Meetings shall be held on the last *Thursday in June* next ensuing the passing of this Act, at the *Sun Inn* in *Newport*, and the subsequent Meetings at such Place as the Directors and acting Guardians present at the preceding General Quarterly Meeting shall, from Time to Time, direct and appoint; and that at the said General Quarterly Meetings, all Directors and acting Guardians shall have a Right, and are hereby required, if in the said Island, to give their Attendance: Provided always, That all Women who shall be qualified to be Guardians shall be, and are hereby authorized to act, at the said General Quarterly Meetings by Proxy appointed under their Hands; and the Persons appointing such Proxies may, from Time to Time, revoke such Appointment; and such Proxies shall be granted to such Persons as shall be Guardians, but no more than one such Proxy shall be granted to or received by any one Guardian whatsoever.

V. And be it further enacted, That all and every the Guardians of the Poor aforesaid shall, at the first Meeting at which he or she shall act, deliver, or cause to be delivered, to the Clerk of the said Corporation for the Time being, an Account in Writing, under his or her Hand, of his or her Qualification, and in what Parish or Parishes, Place or Places, the same is situate; and that the said Directors and acting Guardians shall, at every Meeting to be held under this Act, defray their own Charges and Expenses; and that no Person shall be capable of acting as a Director or Guardian under the Authority of this Act, during the Time he shall be concerned in, or have any Contract for the Performance of any Work, or supplying any Necessaries for carrying this Act into Execution, or the supporting of the said Poor.

VI. And be it further enacted, That at the first General Quarterly Meeting, in *June* one thousand seven hundred and seventy-six, there shall be elected twenty-four Directors, thirty-six acting Guardians, one or more Treasurer or Treasurers, one Clerk, and such other Officers for the Year ensuing, as the said Guardians shall see necessary; all which said Persons shall be respectively elected in Manner following; (that is to say) The Guardians then assembled shall, between the Hours of Ten and Two of the Clock of the same Day, by a Majority of Voices of such of them as shall be so assembled, appoint some one Guardian then present to be President or Chairman of such Meeting; and such Person so elected President or Chairman shall cause the rest of the said Guardians then assembled to proceed by Way of Ballot to the Choice of twenty-four of the Guardians (twelve of whom shall not have been Directors the preceding Year), which twenty-four Persons so chosen shall be called *Directors of the Poor within the Isle of Wight*; and the said Guardians so assembled as aforesaid, shall by Ballot elect and chuse one or more other proper and substantial Person or Persons to be Treasurer or Treasurers, and one other sufficient Person to be Clerk of the said Corporation of Guardians (who shall from Time to Time enter all their Proceedings in a Book or Books to be kept for that Purpose), and likewise such other Officers as the said Guardians shall find necessary for the Execution of this Act; and the said Guardians shall and may take Security by Bond, in a sufficient Penalty, with Sureties, from such Treasurer or Treasurers, or other Officers, for the due Execution of his or their Office or Offices.

VII. And be it further enacted, That the thirty-six acting Guardians shall be elected in Manner following; (that is to say) The several Person assessed to the Poor, within their said several Parishes, shall assemble and meet at their several and respective Parish Churches, at such Time as is herein after expressed, in order to proceed to the Nomination of such Number of Persons qualified as Guardians, resident in such Parish, (if so many can there be found, if not any Person or Persons, qualified as aforesaid, out of such Parish) as shall be in the Proportion of one Guardian for every sixty Pounds which such Parish shall be assessed to pay to the Poor; the Names of which Guardians so nominated shall, by the Churchwarden or Churchwardens of the said several and respective Parishes, be set down in Writing, and delivered or transmitted to the Clerk for the Time being of the said Corporation, at least ten Days before the said first General Meeting in *June* one thousand seven hundred and seventy-six; at which said first Meeting the said Directors shall set down in Writing such Number of Guardians as shall, out of the Number of thirty-six acting Guardians to be elected as herein after mentioned, be the just and proper Number of Guardians to be allotted as Representatives or Representative of each such Parish, in Proportion to the Sum assessed upon each such Parish as aforesaid; and thereupon the said Directors and Guardians present at such first General Meeting shall begin with the said several Parishes in an alphabetical Order, and elect by Ballot, out of the whole Number of Guardians so returned by each respective Parish, such Number, to be the acting Guardian or acting Guardians for such Parish, as shall be so set down by the said Directors to be the

proper Proportion of such Parish in the said Number of thirty-six Guardians; which said thirty-six Guardians so elected shall be and continue acting Guardians, until new succeeding acting Guardians shall be elected, and be in Office in their Place and Stead, in Manner hereafter mentioned.

VIII. And be it further enacted, That the present Clerk of the said Corporation of Guardians shall give at least six Weeks previous Notice of the Time and Place of such first General Quarterly Meeting, by causing Notices thereof in Writing to be affixed at the principal Door of the several Parish Churches in the said Island, to the Intent that the several Persons assessed to the Poor, within their said several Parishes, may assemble and meet at their said respective Parish Churches, on such Day as shall in such Notice be expressed, not later than three Weeks after the Time of giving such Notice, in order to proceed to the Nomination of Guardians in Manner before mentioned.

Six Weeks Notice to be given of the first General Quarterly Meeting.

IX. And be it further enacted, That at all future General Meetings to be held on the last *Thursday* in *June* in every Year, after the last *Thursday* in *June* next ensuing the passing of this Act, the Directors then and there present shall, by Ballot, proceed to elect twenty-four of the Guardians (twelve of whom shall not have been Directors for the preceding Year) to be Directors for the Year ensuing; and at the said General Meetings, the Directors and acting Guardians there present shall elect a Treasurer, and Clerk, and other Officers, for the Year ensuing.

Directors, Treasurer, and Clerk, to be elected annually.

X. And be it further enacted, That at the said General Meeting, to be held annually on the last *Thursday* in *June*, shall be elected in every Year thirty-six other Guardians, in the Place and Stead of the acting Guardians of the preceding Year; in order to which Annual Election, such Number of Guardians shall be nominated in Manner aforesaid, by the said several Parishes, in *Easter* Week, or within one Month after *Easter* in every Year, and be in like Manner transmitted by the Churchwarden or Churchwardens of the several and respective Parishes where such Election is to be made, to the Clerk for the Time being of the said Corporation, at least ten Days before the said General Annual Meeting; when the said Directors and Guardians there assembled shall proceed (in such Form and Manner as before is directed to be observed at the said first General Meeting for electing the acting Guardians) to elect the thirty-six acting Guardians for a Year.

Acting Guardians to be elected annually. Manner of Election.

XI. Provided always, and be it further enacted, That in case any Parish or Parishes shall neglect or refuse to make out and return a List or Lists of Persons to be acting Guardians, in Manner before directed, that then it shall and may be lawful to and for the Directors and acting Guardians present at the said General Meeting to proceed, by Way of Ballot, to the Choice of one or more Person or Persons qualified as aforesaid, either resident in or living out of such Parish or Parishes, to be the Representative or Representatives of such Parish or Parishes so neglecting or refusing to make out and return such List or Lists as aforesaid.

Proviso, as to Representatives of Parishes not returning Lists.

XII. Provided always, and be it further enacted, That if the Assessment upon any Parish within the said Island shall be so small as not to entitle such Parish to be represented by one of the said thirty-six acting Guardians, every such Parish shall join and act with such contiguous Parish or Parishes as the Directors shall see fitting, or by the Notice or Notices to be given to such Parish or Parishes of the said first General Meeting, for electing the said thirty-six Guardians, shall be directed, as well in electing the said Guardians to be returned to the said Clerk of the said Corporation, previous to the said first General Meeting, as also at every future Election of Guardians for the same Purpose, until the said Directors and acting Guardians for the Time being shall see Cause to join the same with some other Parish or Parishes, for greater Convenience; which they shall have Power to do as they shall see Occasion.

Small Parishes to join in returning Representatives.

XIII. And be it further enacted by the Authority aforesaid, That every Person who, being duly qualified, shall be elected a Director, and shall refuse to take that Office upon him, and to act therein, shall forfeit the Sum of six Pounds; and every Guardian refusing to act, when elected to be an acting Guardian, shall forfeit the Sum of four Pounds, unless reasonable Cause shall be shewn to, and allowed by, the Majority of the Directors and acting Guardians present at the next General Quarterly Meeting after such Election; and every Person who shall be elected a Director or acting Guardian before he shall have delivered to the Clerk an Account of his Qualification, shall deliver in an Account of his Qualification, as above directed, at the next General Quarterly Meeting after his Election, and if he neglects so to do, such Neglect shall be construed a Refusal to take the Office upon him, and he shall forfeit as in the Cases of Refusal above specified, unless he can shew reasonable Cause, to be allowed by the Majority of the Directors and Guardians present at the said Meeting; all which Forfeitures shall and may be sued for and recovered by Action of Debt, by and in the Name of the Guardians of the Poor within the *Isle of Wight*, to be brought in any of his Majesty's Courts of Record at *Westminster*, and when recovered shall be paid to the Treasurer of the said Corporation for the Time being, and added by him to the common Stock for the Use of the Poor.

Penalty on Directors and Guardians refusing to act.

How Penalties to be recovered.

XIV. Provided always, and be it enacted, That no Woman, no Person not living in the said Island, no Person under twenty, or above sixty-five Years of Age, and no Person who shall have served, or paid the Penalty for not serving, the Office either of Director or acting Guardian, within two Years next before his said Election, shall be liable to pay the Penalties aforesaid.

Persons exempted from those Penalties.

XV. And be it further enacted, That at any other of the General Quarterly Meetings by this Act directed to be held, the Directors present shall and may fill up, by Ballot among themselves, any Vacancies that may have happened among the twenty-four Directors, either by Death, Removal, or refusing to act; and the Directors and acting Guardians present at such Meetings shall and may, out of the List returned at the last preceding Election of acting Guardians, or in case of no such Return being made, out of the Number of Guardians within the said Island, fill up by Ballot any Vacancies that may have happened among the thirty-six acting Guardians, either by Death, or Removal, or refusing to act; but no such Director or acting Guardian, so to be elected to fill up any Vacancy, shall continue Director or acting Guardian for any longer Time than the Person in whose Place he shall be elected, might or ought to have continued by virtue of this Act.

Vacancies of Members by Removal, &c. how to be supplied.

XVI. And

Fifteen Directors and acting Guardians to be present at General Quarterly Meetings; who may adjourn, and settle Treasurer's Accounts;

to be audited by Justices at Special Sessions.

Directors and acting Guardians may appoint Governors, and other Officers, at Quarterly Meetings.

Allowances to be made to Officers.

Directors, &c. may discharge Officers at Discretion.

Penalty on Directors, &c. for neglecting to hold Meetings.

Adjudication of Justices as to such Penalties to be final.

Committees to be appointed for each Quarter.

When Officers to enter on Offices.

Commencement and Determination of Quarters.

XVI. And be it further enacted by the Authority aforesaid, That at all or any of the four General Quarterly Meetings by this Act directed to be held as aforesaid, not less than fifteen of the Directors and acting Guardians together (whereof five at least shall be Directors) shall be present; and it shall and may be lawful to and for the said Directors and Guardians assembled at such General Quarterly Meetings, to adjourn such Meetings respectively to the second *Thursday* in the Month next succeeding such respective Quarterly Meetings; at which Adjournments the Directors and acting Guardians then and there assembled shall examine and settle the Treasurer's Accounts, and shall cause the same to be delivered, by their Treasurer or Clerk for the Time being, or other Officer, to one of the Clerks of the Justices of the Peace for the County of *Southampton*, acting for the Division of the *Isle of Wight*; which Justices are hereby empowered to hold a Special Sessions four Times in the Year; (that is to say) on the first *Thursday* in the Month next ensuing each of the said Adjournments, to audit the said Accounts; and the Clerk of the said Justices shall lay the same before the Justices of the Peace at such Sessions, to be by the said Justices examined, audited, and finally passed; for which a Fee of ten Shillings and Sixpence, and no more, shall be paid to the Clerk of the said Justices or his Deputy; and no other Fee or Reward shall be paid to, or be had, received, or taken by, the Clerk of the said Justices, or his Deputy, or any other Person or Persons, under any Pretext whatsoever, for auditing or passing the said Accounts: Provided that the Justices holding such Sessions, or any or either of them, shall not have acted in the Capacity of Director or acting Guardian during the Time for which such Accounts are to be passed.

XVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and acting Guardians, at any General Quarterly Meeting assembled, from Time to Time to appoint one or more Governor or Governors, and Steward or Stewards, and any other Officer or Officers they shall find necessary (and such Governors and Stewards shall be Members of the Church of *England*, and shall oversee and inspect the Persons so maintained in such House); and the said Directors and acting Guardians at any such Meeting may also appoint any Woman or Women, who shall be maintained by the said Guardians, or any other Woman or Women, as to the said Directors and acting Guardians shall seem most expedient, (provided that she or they so appointed be Members of the Church of *England*) to be a Matron or Matrons, to attend and superintend the Poor in such House; and such Governors and Stewards, Matron or Matrons, shall from Time to Time make Reports of the Behaviour of such Poor Persons who shall be there maintained; and that the said Directors and acting Guardians, at any such General Quarterly Meetings, shall and may from Time to Time appoint some Clergyman of the Church of *England* to attend the said House; and the said Directors and acting Guardians, at any such General Quarterly Meeting, shall, and they are hereby empowered to make such Allowance to such Clergyman, and Governors and Stewards, and Matron or Matrons, as well as to the Clerk and Treasurer or Treasurers, and all Officers to be appointed by virtue of this Act, out of the Money hereby directed to be raised, for their Pains and Trouble therein; and may from Time to Time displace or discharge him, her, or them, or any of them, as to them the said Directors and acting Guardians, at any such Quarterly Meeting, shall seem meet, and upon their or either of their Removal, Death, or Resignation, to choose others in his, her, or their Stead.

XVIII. And be it further enacted by the Authority aforesaid, That if the said Directors and acting Guardians shall neglect or refuse to hold any such Quarterly or Annual Meeting or Meetings, every Director and acting Guardian failing in his Duty therein, (if in the said Island) shall, on due Proof, by the Oath of one Witness or more, before one or more of his Majesty's Justices of the Peace acting in and for the Division of the *Isle of Wight*, for every such Default, forfeit the Sum of forty Shillings, to be levied by Distress and Sale, by Warrant under the Hand and Seal of such Justice or Justices, unless a sufficient Reason shall be given on the Behalf of such Director or acting Guardian, to be allowed by the Justice or Justices before whom Complaint of such Default shall be made and heard.

XIX. And be it further enacted, That the Adjudication of such Justice or Justices shall be final, to all Intents and Purposes; and that no Appeal or *Certiorari* shall be brought to remove, re-examine, or annul the same; and the Forfeiture, when received or levied, shall be paid to the Treasurer for the Time being, and be made a Part of the common Stock of the said Corporation.

XX. And be it further enacted, That the said Directors and acting Guardians, at the General Quarterly Meeting to be held on the last *Thursday* in *June*, shall appoint twenty-one Directors and acting Guardians together (six of which Number at the least to be Directors) for each Quarter of the succeeding Year, to inspect, direct, manage, and provide for the poor People in the said House; and for that Purpose the said twenty-one Directors and acting Guardians, or any five or more of them (whereof two to be Directors), shall, in the respective Quarter or Quarters of the Year for which they shall be appointed, meet at the said House every *Saturday* Morning (and oftener if necessary), or on any other Day that may be thought more convenient, and fixed by the General Quarterly Meeting to be held on the last *Thursday* in *June*, together with the Clerk for the Time being; and such of them as shall be there present, and all other Directors and acting Guardians who may occasionally attend, shall and may give such Directions as they shall think proper, for the Employment, Maintenance, and Relief of the Poor in such House, and for carrying into Execution such Rules, Orders, and Constitutions, and such Powers and Authorities, as shall be from Time to Time made and granted by the said Directors and acting Guardians.

XXI. And be it further enacted, That at the next Election of Directors, acting Guardians, and all other Officers of this Corporation, on the last *Thursday* in *June* next ensuing, the Persons elected shall enter on their Offices on the Day following the Day of Election, and shall hold the same until the first Day of *July* in the succeeding Year, unless in case of Death, Resignation or Removal; and the first Quarter of the Year of the Persons so elected shall determine on the last Day of *September* next ensuing, and the succeeding Quarters of the same Year shall commence on the first Days of *October*, *January*, and *April*, and shall determine on the last Days of *December*, *March*, and *June*, inclusive, respectively.

XXII. And

XXII. And be it further enacted, That in all future Elections, after the last *Thursday* in *June* next ensuing the passing of this Act, the Year for which the Directors and acting Guardians, and other Officers, shall be chosen, shall commence on the first Day of *July*, and shall determine on the last Day of *June*, inclusive, in every Year, and shall and may be divided according to Calendar Months; and that the said Directors and acting Guardians, appointed for each respective Quarter, shall take upon them, and act in their respective Offices on the first Day of the Month next immediately after each of the said General Quarterly Meetings.

Commencement of the Year as to Directors, &c. Year to be divided into Calendar Months.

XXIII. Provided also, and be it further enacted, That the said twenty-one Directors and acting Guardians, so to be appointed as aforesaid for each and every Quarter in the Year, may, and they are hereby authorised by Agreement amongst themselves, to subdivide themselves into Committees of seven, to act for each Calendar Month in each Quarter, but so as not to preclude any other Director or acting Guardian from being present, and voting, at any such Weekly or other Meeting as aforesaid; and if there shall not be present at any Meeting to be held, five Directors and acting Guardians together (two whereof shall be Directors) every Director, who by any such Agreement ought to have attended, and shall be absent, shall, on due Proof by one Witness before one or more of his Majesty's Justices of the Peace for the said County, acting for the Division of the *Isle of Wight*, for every such Offence, forfeit the sum of twenty Shillings, and every Guardian, who by any such Agreement ought to have attended, and shall be absent, shall, on due Proof as aforesaid, for every such Offence, forfeit the Sum of ten Shillings; and such Forfeitures shall be levied by Distress and Sale, by Warrant under the Hand and Seal of the Justice or Justices before whom such Proof is made, and when received or levied shall be paid to the Treasurer of the said Corporation, and added by him to the common Stock for the Use of the Poor; and the Adjudication of such Justice or Justices shall be final, to all Intents and Purposes, and no Appeal or *Certiorari* shall be brought to remove, annul, or re-examine the same: Provided always, That in case the full Number of Directors and acting Guardians, required by this Act to be present at any such Weekly Meetings, shall not attend at the same, it shall and may be lawful to and for the Directors and acting Guardians who shall be present, to adjourn such Meeting to some future Day; but the Directors and acting Guardians then present may nevertheless grant Relief to such poor Persons as shall then apply for the same.

Quarterly Committees may subdivide themselves into monthly ones. Penalty on Non-attendance.

Provido.

XXIV. And be it enacted by the Authority aforesaid, That the Directors and acting Guardians for the Time being shall have, and they are hereby declared to have, full Power and Authority to make, from Time to Time, such Bye-laws, Rules, Orders, and Constitutions, as well for the better governing the said Corporation, as for the better governing, employing, and supporting, the said poor Persons in the said Island, and for the carrying on any Trade that may be set on Foot for the Employment of the said Poor, and for the other Purposes of this Act; and from Time to Time afterwards to repeal, alter, or amend such Bye-laws, Rules, Orders, or Constitutions, as to them the said Directors and acting Guardians shall seem meet, so that such Bye-laws, Rules, Orders, and Constitutions, are not repugnant to the Laws of the Land: Provided, that not less than fifteen of the said Directors and acting Guardians together (five of which Number to be Directors) shall be present at every Meeting for the making, repealing, altering, or amending such Bye-laws, Rules, Orders, and Constitutions; and one Month's previous Notice shall be given of every such Meeting, with the Cause of holding the same, to the Directors and acting Guardians for the Time being, (unless such Meetings be one of the four General Quarterly Meetings appointed by this Act to be holden; of which said Meetings all Persons who are required to attend are bound to take Notice, without any previous Summons or Notice being given to them) and the major Part of the Directors and acting Guardians present (of which major Part five at least to be Directors) shall give their Assent to such Bye-laws, Rules, Orders, and Constitutions: Provided also, That all Bye-laws, Rules, Orders, and Constitutions, already made and established, and not by this Act altered or repealed, shall be and remain in full Force, until repealed, altered, or amended, in Manner before mentioned.

Fifteen Directors, &c. may make or alter Bye-laws.

Provido, as to present Bye-laws.

XXV. And be it further enacted, That in case any two or more of the Directors or acting Guardians of the Poor shall signify to the Clerk for the Time being, that it is their Desire that an extraordinary Court or Assembly of the Directors and acting Guardians may be held, that then the said Clerk of the said Corporation shall, and he is hereby authorised and empowered to call such Court or Assembly, at such Time and Place as the said Directors or acting Guardians shall desire, (provided that one Month's previous Notice of such Court or Assembly shall be given, with the Cause of holding the same; and that at every such Court or Assembly not less than fifteen of such Directors and acting Guardians shall be present, five of whom at the least shall be Directors;) at which special Meetings all and every Acts, Matters, and Things, to be done and transacted by the Directors and acting Guardians there assembled, relative to the Matters comprised in such Notice, shall be good, valid, and effectual, to all Intents and Purposes, as if the same had been done at a General Quarterly Meeting.

Special Meetings of Directors and acting Guardians may be called.

XXVI. And be it enacted by the Authority aforesaid, That at all Meetings of the said Directors and acting Guardians, the Directors present shall, before the Persons assembled proceed to Business, elect one of their own Number to be Chairman of the said Meeting, which Chairman shall have the same Right to vote as any other Member present; and all Questions which shall not be directed by this Act to be determined by Ballot, or ordered by any Bye-law so to be determined, shall be determined by the Majority of Persons present, and in case of an Equality of Votes, the Chairman of such respective Meeting shall have the casting Vote.

Chairman to be elected.

How Questions to be determined.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Directors and acting Guardians, at the Annual Meeting to be held on the said last *Thursday* in *June* (if they shall think proper) to alter and change the Day of the Week whereon the twenty-one Directors and acting Guardians so to be appointed to inspect, direct, manage, and provide for, the said poor People in the said House, shall meet for the succeeding Year, and the Clerk for the Time being shall cause immediate Notice

Directors, &c. may alter the Day of the weekly Meeting.

tice of every such Alteration of the weekly Day of Meeting to be advertised in the *Salisbury Journal*, or some other public Paper circulating in the *Isle of Wight* and to be affixed on the Door of every Parish Church in the said Island.

XXVIII. And whereas the Directors and acting Guardians of the said Corporation have already borrowed large Sums of Money under the Authority heretofore vested in them, and have given Securities for the same: And whereas the said Directors and acting Guardians will find it necessary to borrow more Money for effecting all the Purposes of this Act; be it further enacted, That all Securities already given by the said Directors, or by the said Directors and acting Guardians, for Monies already borrowed, be deemed good and lawful Securities, and that they may, from Time to Time, be devised, or may be assigned, by Indorsement, without Stamps; and such Devises or Assignments shall entitle the Person or Persons to whom the same shall be made, to all Principal and Interest Monies, due or to grow due, upon such Securities; and that all Rates and Assessments already made, or hereafter to be made, by virtue of this Act of Parliament, or of the Act above recited, for the Purpose of maintaining the Poor, be first charged to pay the Interest due, and to grow due, upon such Securities; and that the Treasurer of the Corporation for the Time being shall pay the Interest thereof, and be allowed the same on making up his Accounts.

Securities already given by Directors, &c. to be deemed valid; and may be assigned, &c. the Interest of them to be first paid.

Directors, &c. may borrow more Money.

XXIX. And be it further enacted, That the Directors and acting Guardians aforesaid shall have Power to borrow such further Sums of Money as they may find necessary, for the Purposes of this Act, provided that the whole Sum by them borrowed, including what they have borrowed already, do not exceed the Sum of twenty thousand Pounds.

Two Modes of borrowing:

XXX. And, in order to raise the Money hereafter to be borrowed, in such Manner as shall be most beneficial to the Inhabitants of the *Isle of Wight*, who are to pay the Interest of the same; be it enacted, That it shall and may be lawful for the Directors and acting Guardians, at their Discretion, to raise any Part of the said Money by either of the Ways following; (that is to say) either by mortgaging a Portion of the Rates and Assessments hereafter directed to be raised, to pay an Interest not exceeding four Pounds *per Centum*, till the Principal Money is paid off; or by a Scheme of Survivorship, or according to the Provisions and Regulations herein after contained.

By Assignments of the Rates:

XXXI. And be it further enacted, That for so much Money as the said Directors and acting Guardians shall borrow, at an Interest not exceeding four Pounds *per Centum per Annum*, they may assign over by Writing, signed by seven of the said Directors at the least, under the Common Seal of the said Corporation, a sufficient Portion of the Rates and Assessments to be collected within the *Isle of Wight* in pursuance of this Act, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed in virtue of this Act; and such Securities may be, from Time to Time, assigned and transferred, by Indorsement or otherwise, without Stamps; and such Assignments or Transfers shall entitle the Person or Persons, to whom the same shall be made, to all Principal and Interest Monies, so due, and to grow due, upon such Securities; and such Monies so to be borrowed, shall from Time to Time be applied for the Purposes of this Act.

By a Scheme of Survivorship.

XXXII. And be it further enacted, That if the said Directors and acting Guardians shall think proper to raise any Portion of the Money, which by this Act they are allowed to borrow, by a Scheme of Survivorship, the same shall and may be raised in Manner following; (that is to say) if any Number of Persons shall agree with the said Directors and acting Guardians, to pay them a Portion of the Sum so to be borrowed, by contributing a Sum of Money for the Purposes of this Act, at any Interest not exceeding five Pounds *per Centum per Annum* on the whole Sum so advanced, to be paid to the said Contributors, their Executors, Administrators, or Assigns, during the Lives of the said Contributors, or of the Persons by them named, according to the Provisions herein after made, in such Shares as are proportioned to the Sums of Money which each of the said Contributors respectively shall advance; that then in such Case it shall and may be lawful to and for the said Directors and acting Guardians to accept the Sum of Money so contributed, and to apply the same to the Purposes of this Act, and in Recompence for the said Money, out of the Assessments herein after directed to be made, to cause to be paid by the Treasurers of the Corporation for the Time being, among the Contributors, any Interest not exceeding five Pounds *per Centum per Annum* on the whole Sum so contributed, according as the said Contributors and the said Directors and acting Guardians shall agree, before the said Money is advanced; all which said Interest shall be fairly divided amongst the Contributors, their Executors, Administrators, or Assigns, during the Lives of their respective Nominees, in Proportion to the Sums by the said Contributors advanced, yearly and every Year, by two equal half-yearly Payments; and upon the Death of every Nominee, the Share or Shares of the said Money which was or were payable during his Life, shall be equally divided amongst the rest of the Contributors whose Nominee shall then be living, and so from Time to Time, upon the Death of every Nominee whatsoever, whose Share or Dividend was payable during the Life of such Nominee, shall be equally divided amongst the rest of the Contributors, their Executors, Administrators, and Assigns, during the Lives of their respective Nominees; so that from Time to Time the whole Interest agreed to be paid to the said Contributors, for the Sum by them advanced, shall be divided and paid among the Contributors whose Nominees do survive, until such Time as there shall be no Nominee living; and on the Death of all the Nominees, all Interest in and for the said Sum of Money so contributed shall cease.

No Contributor to advance less than 100l.

XXXIII. Provided always, That no Contributor shall advance less than one hundred Pounds, or name more than one Life for every one hundred Pounds so advanced; and that if any Contributor shall name any other Life than his or her own, he or she, his or her Executors, Administrators, or Assigns, shall be entitled to his or her Share of such Interest during the Life of the Person whom he or she shall so name.

Treasurer to keep a Book to enter the Names of Contributors, &c.

XXXIV. And be it further enacted, That an Account of the several Portions of Money respectively contributed, and the Names of the respective Contributors, and of their Assigns or Devisees, and also the Names of the Persons whose Lives are by the said Contributors named, together with their Additions and Places

Places of Abode, and such other Descriptions as may best ascertain their Persons, be entered in a Book to be kept by the Treasurer of the Corporation for that Purpose; and that no Person's Life, once named and entered in that Book, shall afterwards be changed: And that each of the said Contributors shall receive from the Treasurer, at the Time of paying his Money, a Receipt or Certificate, specifying the Sum of Money by the said Contributor paid, together with the Name and Addition of the Contributor, and of his Nominee; which said Receipt or Certificate may be from Time to Time assigned, by Indorsement or otherwise, without Stamps, or may be devised by Will in the same Manner as personal Estate may be devised; and such Assignee or Devisee shall be intitled to receive the Share of Interest due under the said Certificate, so long as the Nominee mentioned in the said Certificate shall survive; and in Default of such Assignment or Devisee, the Interest of such Contributor, shall go to his Executors or Administrators for the Life of the Nominee, such Nominee being some other Person, as aforesaid.

and to give them Receipts or Certificates, which may be assigned without Stamps.

XXXV. And be it further enacted, That the Money so to be contributed, shall be paid to the Treasurer at some one General Quarterly Meeting; and that the Interest for the said Money shall begin to grow and accrue as soon as, and not before, the whole Money is paid, and all the Lives are named and entered in the proper Book; and that the said Interest shall become due half-yearly, (that is to say) on the Day of the second Quarterly Meeting after the said Money is paid, and on the Day of the Quarterly Meeting answering to that at which the said Money was paid, and so on from Year to Year, Regard not being had to any particular Day of the Calendar Month, but to the Day of the Quarterly Meeting in each Year respectively; and that no Person shall claim any Share of the said Interest, unless the Nominee for whose Life he claims shall be alive on the Day on which the said Interest shall become due.

Money contributed to be paid to the Treasurer at a Quarterly Meeting, &c.

XXXVI. And be it further enacted, That if the Directors and acting Guardians present at any Quarterly Meeting at which the said Interest shall become payable, shall have a reasonable Doubt whether any particular Nominee be living on the Day on which the said Interest becomes due, it shall and may be lawful for the said Directors and acting Guardians to order the Treasurer to withhold the Payment of the Share claimed under the Life of such Nominee, until such Time as the Person claiming the same shall produce a Certificate of the Life of such Nominee, signed by the Minister or Churchwardens of the Parish where such Nominee shall be living on the Day when the said half-yearly Payment shall become due, (if such Nominee shall be then residing in the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed,) which Certificate the said Minister and Churchwardens are hereby required to sign without Fee or Reward; and in case such Nominee be in the Kingdom of Scotland, or beyond the Seas, the Treasurer may be ordered to withhold the Payment until the Claimant shall produce a Certificate to the Effect aforesaid, signed by the proper Officers, according to the Usage of signing Certificates in the Place in which such Nominee shall then be living; and all Certificates so produced as aforesaid shall be filed in the Office of the Treasurer of the Corporation for the Time being.

Certificates of Nominees being living required in doubtful Cases,

XXXVII. And be it further enacted, That if any Person shall receive one or more half-yearly Payments of the said Interest, not accruing till after the Death of any Nominee for whose Life such Share was payable, it shall be lawful for any Contributor, or for the Treasurer of the Corporation for the Time being, to require the same to be repaid to the said Treasurer, for the Benefit of the Contributors, or their Assigns, according to their respective Shares in the said Interest; and in case of Refusal or Neglect to pay in the same within one Month after such Demand, such Person so refusing or neglecting shall forfeit Treble the Sum so received, to be recovered by Action of Debt, in any of his Majesty's Courts at Westminster, in the Name of the Contributor or Treasurer who shall make the Demand as aforesaid, for the Benefit of the Contributors as aforesaid; in which Action no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparance, shall be allowed.

Interest Money paid, in certain Cases, to be returned.

XXXVIII. And be it further enacted, That in case any Person, who shall be intitled to receive any half-yearly Payment of the Interest aforesaid, shall at any Time neglect to demand the same, until within twenty Days before the next half-yearly Payment shall become due, he shall lose and forfeit such half-yearly Payment so neglected to be demanded, and the same shall be divided among the Contributors or their Assigns, as if his respective Nominee had been dead, and so from Time to Time upon every Default: Provided nevertheless, that if such Contributor shall afterwards make a Demand in due Time for any following half-yearly Payments, such Contributor shall, for the future, have his Share of the said Interest, as if such Default had not been made.

Contributor neglecting to demand his Interest, to lose the same.

XXXIX. And be it further enacted, That no Assignee or Devisee shall be entitled to receive any Share of the said Interest, until he shall have given Notice of such Assignment or Devise to the Treasurer of the Corporation for the Time being, and shall have required him to make an Entry of such Assignment or Devise in the Book above directed to be kept by him for that Purpose.

Entries to be made of Assignments, &c.

XL. And be it further enacted, That every Contributor, his Executors, Administrators, or Assigns, within one Month next after Notice of the Death of his or their respective Nominee, shall certify such Death to the Treasurer of the Corporation for the Time being, and shall also, within three Months after such Notice, deliver, or cause to be delivered, up to the said Treasurer, his or their Receipt or Certificate, by which he or they was or were entitled, during the Life of such Nominee, to receive any Share of the said Interest, in case such Receipt or Certificate be in his or their Hands or Power; and in Default thereof, such Contributor, his Executors, Administrators, and Assigns, shall forfeit the Sum of ten Pounds, to be recovered by Action of Debt as aforesaid, and to be had and received to the Use of any Person who shall sue for the same.

Contributor to certify the Death of his Nominee, and to deliver up his Certificate;

on Penalty of 10 l.

XLI. And to the Intent it may appear and be ascertained, upon every half-yearly Payment, unto and among what Persons, and in what Proportions, the said Interest is to be distributed; be it enacted, That every half-year, within Six Days before the respective Days of Payment, the Treasurer shall make up an Account of the several Nominees whose Deaths are come to Knowledge, and of the several Contributors who have made Default in making Demand as aforesaid, that so the rest of the Contributors may have the Advantage thereof.

Account of the Deaths of Nominees to be made.

Penalty on Treasurer making up false Account, &c.

XLII. And be it further enacted, That if the Treasurer of the Corporation for the Time being shall wilfully make up a false Account of the several Nominees whose Deaths are come to his Knowledge, or shall knowingly pay to any Contributor or his Assigns a Share of Interest not accruing till after the Death of the Nominee of such Contributor or his Assigns, such Treasurer shall lose his Office, and shall forfeit one hundred Pounds, with Costs of Suit, to be recovered by Action of Debt, as aforesaid, in the Name of any Contributor whose Nominee shall then be living, for the Benefit of all who shall be intitled to any Share of the said Interest at the Time of entering up Judgement against the Defendant in such Action.

Treasurer to pay Interest for Money borrowed.

XLIII. And be it further enacted, That the Treasurer or Treasurers of the Corporation for the Time being shall pay the Interest due on the Monies borrowed, or to be borrowed, by virtue of this Act, out of the Rates and Assessments by him received, and shall be allowed the same on making up his Accounts; and that all Monies raised or to be raised by virtue of this Act, be applied to the Purposes of this Act.

Confirmation of former Assessments, &c.

XLIV. And be it further enacted, That all Rates and Assessments already made by virtue of the above recited Act, shall be deemed to have been well and lawfully made, and all Monies paid under the same shall be deemed to be well and lawfully paid, and all Arrears due under the same shall be deemed to be legally due; and if any Person refuses to pay such Arrears, the Churchwardens and Overseers for the Time being of the Parish or Place for which such Rate is made, or any of them, may, by Warrant from any one Justice of the Peace acting for the Division of the *Ile of Wight*, levy the said Arrears, by Distress and Sale of the Offender's Goods, rendering to the Party the Overplus; and all Arrears due from any of the Churchwardens and Overseers within the said Island, shall be by them paid to the Treasurer of the said Corporation; and if any of them shall refuse to pay the same, the Treasurer, or the Constable of the Parish or Place from whence such Arrears are due, may levy such Arrears from the Churchwardens and Overseers so refusing, by Warrant of Distress from one Justice as aforesaid; and in Default of such Distress the Inhabitants and Parishioners of the respective Parishes or Places from whence such Arrears are due, shall be answerable for such Arrears, and shall pay the same upon a Re-assessment, in Manner and Form as is herein after provided in case of Deficiency by Churchwardens and Overseers in paying the Rates and Assessments herein after directed to be made.

Necessary Rates before the last Thursday in June to be made.

XLV. And be it further enacted, That all Rates and Assessments which the Directors and acting Guardians shall judge necessary to be made before the last *Thursday* in *June* next ensuing the passing of this Act, shall be made and raised in the same Proportions, and in the same Manner, in which the Rates and Assessments have been made and raised at and since the last General Quarterly Meeting of the said Directors and acting Guardians; and all Arrears and Deficiencies shall be collected, recovered, or made good, in Manner and Form as is next before provided for Arrears and Deficiencies now due.

Directors, &c. may assess the respective Parishes.

XLVI. And, for the better Security of such Sums of Money as have been already borrowed by virtue of the said recited Act, or shall hereafter be borrowed by virtue of this Act, and for paying off and discharging such Monies and the Interests thereof, and for providing for the Poor, employed and relieved, and to be employed and relieved, in the said House, and for defraying the other Expences of this Act; be it further enacted, that the said Directors and acting Guardians shall and may, and they are hereby impowered, at the said General Quarterly Meetings, to assess such Sum and Sums of Money, not exceeding the respective Rates herein after mentioned, upon the several Parishes and Places within the said Island, as they the said Directors and acting Guardians shall judge necessary for paying the Interest due on the said Debt, and for defraying the Expences of the current Quarter, and for and towards paying off and discharging the said principal Debt; and the said Directors and acting Guardians for the Time being, or any three or more of them, (whereof one to be a Director) shall, and they are hereby impowered to issue Warrants under the Seal of the said Corporation, to the Churchwardens or Overseers of the Poor, in all and every of the several Parishes and Places within the said Island, requiring such Churchwardens or Overseers to pay, at some particular Time and Place, to be specified in the said Warrants, the Sum so assessed upon the said several Parishes and Places respectively, to the Treasurer or Treasurers of the said Guardians for the Time being, whose Receipt for the same shall be a legal Discharge to such respective Churchwardens and Overseers of the Poor: And for raising the Sums so assessed by the said Directors and acting Guardians, such respective Churchwardens and Overseers of the Poor shall, from Time to Time, and they are hereby required, with as much Equality and Indifference as possible, to raise, by Taxation of every Inhabitant, Parson, Vicar, and others, and of every Occupier or Renter of any Land, House, Tythe inappropriate, and Propriations of Tythes, in their respective Parishes and Places, so much Money as shall be assessed on such respective Parishes and Places by the said Directors and acting Guardians, in such and the like Manner, and with such Powers, as Money for the Relief of the Poor is by the Laws now in being to be raised, and with such and the like Remedy to Persons aggrieved by Way of Appeal, as is given concerning Rates or Assessments made for the Relief of the Poor by the Laws now in being; for all which Sums of Money so assessed and received by the said Churchwardens and Overseers of the Poor, in case of any Deficiency, the Parishioners and Inhabitants of the respective Parishes and Places, wherein such Sums of Money shall be so assessed or received, shall be answerable and shall be compellable to pay the same upon a Re-assessment, which, in that Case, is hereby directed to be made by the Directors and acting Guardians assembled at any General Quarterly Meeting; and such Taxes and Assessments, and also such Re-assessments, shall be levied and recovered in such and the like Manner, and with such Powers, as Money assessed for the Relief of the Poor is by the Laws now in being to be levied and recovered.

Churchwardens and Overseers to tax the Inhabitants.

Rates in each Parish limited.

XLVII. Provided always, That the Sums to be assessed by the said Directors and acting Guardians, at their General Quarterly Meetings, upon any one of the said Parishes or Places, shall not exceed, in any one Year, the Sum which shall have been rated, assessed, or expended, for the Relief of the Poor in such respective

respective Parishes or Places in one Year, upon the Medium already drawn under the said recited Act, from *Easter* one thousand seven hundred and sixty-three, to *Easter* one thousand seven hundred and seventy.

XLVIII. Provided always, and be it enacted, That nothing in this Act contained shall exempt the Churchwardens and Overseers of the several Parishes and Places within the said *Ile of Wight*, from the several Duties prescribed to them by the general Laws and Statutes of the Realm; but all Churchwardens and Overseers shall keep regular Books of Accounts, and shall have them ready for public Inspection, and shall regularly pass their Accounts every Year, and do all other Duties required of them by the general Laws and Statutes of the Realm, other than and except such as are hereby transferred to the Directors and acting Guardians, any Thing in this Act to the contrary notwithstanding: And in case any Churchwarden or Overseer shall die, his Executors or Administrators shall, within forty Days after his Decease, deliver over all Things concerning his Office to some Churchwarden or Overseer of the same Place, and shall pay, out of the Assets left by such Churchwarden or Overseer, all Sums of Money remaining due, which he received by virtue of his said Office, before any of his other Debts are paid and satisfied.

Churchwardens, &c. to be liable to the general Laws of the Land.

XLIX. And be it further enacted, That if the Directors or acting Guardians shall have neglected or refused to hold any such Quarterly Meeting, or if there shall not have appeared a sufficient Number of Directors and acting Guardians at any such Quarterly Meeting, by Means whereof such Assessments cannot be made, that then it shall and may be lawful to and for any two Justices of the Peace for the said County, acting in and for the Division of the said *Ile of Wight*, to order such Rate to be made for the ensuing Quarter as to them shall seem meet; and in case no such Order shall be made within one Month from the Time when such Quarterly Meeting should have been held, the same Proportion shall be rated, assessed, and raised, in such respective Parishes and Places, by the respective Churchwardens and Overseers of the Poor, for the ensuing Quarter, as was raised in the preceding Quarter, and shall be paid to the said Treasurer in such Manner as is herein before mentioned, with respect to the taxing, assessing, collecting, recovering, and paying, of the Sums assessed by the said Directors and acting Guardians.

In case of no Meeting, how Rates to be made.

L. And, for the more regular discharging of such Sum and Sums of Money as have been already borrowed under the said recited Act, or shall be hereafter borrowed upon the Credit of this Act, and the Interest of the same respectively, be it enacted, That one equal Moiety or half Part of all such Sum and Sums of Money as shall yearly and every Year, for the Space of twenty Years, (to be computed from the First Day of *July* one thousand seven hundred and seventy-six) be saved out of the Rates and Assessments, and Penalties and Forfeitures, to be raised and levied by virtue of this Act, and the Profits of the Work of the Poor, and shall remain in the Hands of the Treasurer of the said Corporation upon settling his annual Accounts, shall go and be applied, yearly and every Year during such twenty Years, towards the paying off and discharging such Sum and Sums of Money as have been so already borrowed, or shall be hereafter borrowed, upon the Credit of this Act; and that the other Moiety or half Part of the Monies which shall be so saved as aforesaid, shall yearly and every Year, during such twenty Years, be applied to lessen and reduce the Rates and Assessments to be made for the Relief of the Poor within the said Island, below the present Average or Medium Rates, in an equal Degree, and in Proportion to the Rates which shall be levied upon the respective Parishes within the said Island; and, from and after the Expiration of the said Term of twenty Years, all and every such Sum and Sums of Money as shall be saved in Manner aforesaid, shall go and be applied, yearly and every Year, towards the paying off and discharging such Sum and Sums of Money as have been already, or shall hereafter be, borrowed as aforesaid, until the Whole of such Monies shall be paid off and discharged.

Method of paying the Principal-Money.

LI. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, every poor Person and Persons, incapable of providing for himself, herself, or themselves, and entitled by the Law of the Land to receive Relief from any Parish or Place within the said Island, shall be under the Management and Government of the Directors and acting Guardians of the Poor for the Time being, and of the several Committees and Meetings of Directors and acting Guardians held by virtue of this Act; who may, at their Discretion, at their weekly or other Meetings, order any of the poor Persons entitled to Relief to be received and maintained within the said House of Industry, or may order Relief to be given and allowed to any poor Persons out of the said House, as in their Discretion they shall see Occasion, in such Manner and Form, and by such Ways and Means, and under such Regulations, as shall be prescribed by any Bye-law or Bye-laws from Time to Time to be made by virtue of this Act.

Poor to be under the Government of the Guardians.

LII. And be it enacted, That all poor Children, who at any Time shall be maintained by the said Guardians, shall be and remain under their Government till they arrive to the following Ages, (*videlicet*) every Male Child till the Age of eighteen Years, and every Female Child till the Age of sixteen Years; and that after such respective Children shall have attained the said respective Ages (or sooner, if the said Directors and acting Guardians shall see Occasion), they shall be discharged from the Rule and Government of the said Guardians, and be at their own Disposal; or if the Parents, Kindred, or Friends, of Children so maintained shall, before they arrive at the said respective Ages of eighteen and sixteen Years, be able and willing to receive, maintain, and employ, or provide fit and proper Services for such Children, it shall and may be lawful to and for the said Directors and acting Guardians (if they shall think proper) at any of the said Quarterly or Weekly Meetings, to dismiss such Children: And that it shall and may be lawful to and for the said Directors and acting Guardians, or any three of them, whereof two at least shall be Directors, by and with the Consent of two of his Majesty's Justices of the Peace for the said County of *Southampton*, acting in and for the Division of the *Ile of Wight*, at any Time before such Children shall arrive at the respective Ages aforesaid, to bind any such Child or Children, where they shall

Male Children to remain under the Government of the Guardians till the Age of 18; and Females till 16

Or may be appointed till the Age of 21.

shall see convenient, to any Person occupying any Houses, Lands, or Tenements, within the said Island, for any Term, so as the same does not exceed his or her Age of twenty-one Years; or to bind any such Male Children Apprentices in the Sea Service, to any Captain, Master, or Owner, of any Ship or Vessel, in like Manner as Churchwardens and Overseers of the Poor, with the Assent of Justices of the Peace, by the Laws now in being are impowered to do; and the Person or Persons to whom any such Child or Children shall be bound, shall be obliged to receive and provide for such Apprentices, in like Manner as by the Laws now in being Persons are obliged to provide for poor Apprentices legally bound to them by the Officers of particular Parishes; and no Apprentice so bound out as aforesaid shall, without the Consent of the Directors and acting Guardians, present at a Weekly Meeting, be assigned or turned over to any other Person; and when any such Child is bound, or appointed to be bound Apprentice, or is regularly assigned to any other Person, by virtue of this Act, the Person to whom he or she is so bound, or appointed to be bound, or assigned, shall receive and provide for such Child according to the Indenture signed and confirmed by the two Justices of the Peace, and shall, if necessary, execute the other Part of the said Indenture; and if such Person shall refuse or neglect to receive and provide for the said Child, or to execute the other Part of the said Indenture, such Person who shall so neglect or refuse, being thereof convicted by the Oath of one Witness or more, before any one or more of his Majesty's Justices of the Peace for the said County, acting in and for the Division of the *Isle of Wight*, shall, for every such Offence, forfeit the Sum of Ten Pounds to the Guardians of the Poor of the *Isle of Wight*.

No Apprentice to be turned over without Consent of Directors, &c.

Penalty for not performing Contracts in relation to such Apprentices.

Children may be bound to the Governor or Steward, &c.

LIII. And be it further enacted, That it shall and may be lawful to and for the said Directors and acting Guardians, by and with the Consent of any two such Justices, at any Time before such respective Child or Children shall arrive at such respective Ages as aforesaid, to bind any such Child or Children to be Apprentice or Apprentices to the Governor or Steward for the Time being of the said House, till such Child or Children shall come to the Age or respective Ages of twenty-one Years; and on the Death, Resignation, or Removal, of such Governor or Steward, such Apprentice or Apprentices so bound shall belong and appertain to the succeeding Governor or Steward, without any formal Assignment being made to him of such Apprentice or Apprentices, and so from Time to Time to the Governor or Steward for the Time being, until the Expiration of the Term for which any of such Children shall have been respectively bound; and such Child or Children shall respectively serve the said Governor or Steward for the Time being, as Apprentice or Apprentices, until the End of the said Term for which he, she, or they respectively shall be bound, and shall, during the said Term, be considered as Apprentice or Apprentices to the Governor or Steward for the Time being, to all Intents and Purposes, in the same Manner as if he, she, or they, had been originally bound to every new or succeeding Governor or Steward respectively, and had served the whole Term of his, her, or their Apprenticeship with such Governor or Steward; and such Child or Children, so to be bound to the said Governor or Steward, shall be provided for and maintained by the said Guardians, during such his, her, or their respective Apprenticeship, in the same Manner as other poor Children are to be provided for and maintained by virtue of this Act; and all Profits, Benefit, and Advantage, arising from every such Apprentice so bound to the said Governor or Steward, shall be accounted for to the said Guardians, and shall be had, received, and taken by them, and be applied for the Purposes of this Act.

Children bound by Directors, &c. to be under the same Regulations as other poor Apprentices.

Children may be apprenticed out of the Island, &c.

LIV. And be it further enacted, That every Apprentice so bound by the Directors and acting Guardians shall be entitled to all Privileges and Protections, and subject to the like Regulations, and be considered to all Intents and Purposes (except where it is otherwise provided by this Act) as an Apprentice bound out by the Churchwardens and Overseers of any particular Parish, according to the general Laws for binding poor Apprentices.

LV. And be it further enacted, That it shall and may be lawful to and for the Directors and acting Guardians, or any five of them, whereof two at least to be Directors, to bind any poor Children to be Apprentices, for any Term not exceeding their respective Ages of twenty-one Years, to any Persons willing to receive such Children, whether such Persons be living within or out of the said *Isle of Wight*; and the said Directors and acting Guardians shall have Authority to order the Treasurer, out of the Money in his Hands, to pay such reasonable Sum or Sums of Money at the Time of binding, to the intended Master or Mistress of such Child or Children, as the said Directors and acting Guardians can agree for with the said Master or Mistress.

Directors, &c. may let out the Poor to Harvest-work, &c.

or may contract for employing the Poor for one Year.

Rewards to be given to the industrious Poor;

LVI. And be it further enacted, That the said Directors and acting Guardians, at any Weekly Meeting to be held by virtue of this Act, may, upon Application made by any Farmer or other Person, wanting any of such Children or other poor Persons in the said House, either in Harvest or for other Work, suited to the Strength and Abilities of such Children or other poor Persons, let out such Number of such Children or other poor Persons as shall be required, on a Contract for their Labour and Maintenance, on such Terms as shall be settled between the said Directors and acting Guardians and such Person or Persons agreeing for such Children or other poor Persons; and the Wages shall be paid to the Treasurer of the said Guardians, to be applied for the Purposes of this Act; and it shall and may be lawful to and for the said Directors and acting Guardians, at any General Quarterly Meeting to be held by virtue of this Act, to contract (if they shall think it expedient so to do) with any Person or Persons for employing all or any of the Poor in the said House, on such Terms and Conditions as the said Directors and acting Guardians shall think proper, such Contractor or Contractors being subject to such Rules and Regulations as are herein after prescribed, for the Care and Benefit of the said poor People, and so as no such Contract shall subsist or be in Force for any longer Space than one Year: And to the End that all the poor People in the said House may be encouraged to apply themselves to such Tasks in which they shall be employed with Diligence and Humility, it shall and may be lawful to and for the said Directors and acting Guardians, at

Any Quarterly Meeting, out of the Profits arising by the Work which shall be done by such poor People, to distribute such Rewards to the industrious and skilful, as to them shall appear reasonable, so as no Part of such Rewards be expended in the Purchase of unwholesome or unnecessary Liquors, the drinking of which the Governors and Stewards, and Matron and Matrons, are hereby strictly enjoined to prevent; and for inciting the Governors and Stewards, Matron and Matrons, and other Officers of the said House, to discharge their Duty with Humanity, Diligence, and Fidelity, it shall be lawful for the said Directors and acting Guardians, at any General Quarterly Meeting, to allow such Officers, or any or either of them, over and above their respective Salaries, such Proportion of the Profits of the Work so done by the said poor People as they shall think proper; and, after deducting such Allowances and Gratuities as aforesaid, the Profits of the Work so done by the said poor People shall be applied to the general Purposes of this Act.

and to the Governor, Matron, &c.

LVII. And it is hereby enacted, That if any Person or Persons shall convey any spirituous or strong Liquors into the said House, such Person and Persons shall be subject to such and the like Pains and Penalties as are, by an Act of the twenty-fourth Year of the Reign of his late Majesty King George the Second, directed to be inflicted on Persons conveying spirituous Liquors into Prisons or Gaols.

Penalty on bringing strong Liquor into the House.

LVIII. And whereas it may happen that, by Casualties or sudden Illness, several poor Persons may stand in Need of an immediate Relief, before Application can be made for the same at the Weekly Meetings to be held in pursuance of this Act; for Remedy whereof, be it enacted by the Authority aforesaid, That it shall and may be lawful, at any Time or Times, for any Director or acting Guardian, upon Application made to him, or upon his own Knowledge of the Fact and Necessity of the Case, by Writing under his Hand, to order the Churchwarden or Churchwardens, Overseer or Overseers of the Poor, for any Parish, Place, or District, within which any poor Person shall, from any Casualty, Accident, or sudden Illness, stand in Need of an immediate Assistance and Support, forthwith to pay unto every such Person any reasonable Sum or Sums of Money for his or her Support, until the next Weekly Meeting of the Committee of Directors and acting Guardians shall be held in pursuance of the Directions in this Act; which said Sum or Sums of Money, such Churchwarden or Churchwardens, Overseer or Overseers, shall immediately pay, and apply in such Manner as such Director or acting Guardian so ordering the same shall direct, out of the Monies collected or to be collected by him or them for the Purposes of this Act, and shall be allowed the same in his or their Accounts; and if any Churchwarden or Overseer advances such Money out of his own Pocket, he may retain the same out of the Rates and Assessments next by him received by virtue of this Act; and if he shall receive no such Rate or Assessment after having advanced his own Money as aforesaid, he may demand the Sum so by him advanced from his Successors, who are hereby required to pay the said Sum to him, and they shall be allowed the same in their Accounts: And the said Churchwarden or Churchwardens, Overseer or Overseers, upon whom any such Order or Orders shall be made by such Director or acting Guardian as aforesaid, shall attend at the next Weekly Meeting of the said Committee of Directors and acting Guardians, and lay before the said Committee the State and Circumstances of the Person or Persons so ordered to be relieved; and the said Committee shall give such further Directions for the Maintenance and Relief of such poor Person or Persons, as to them shall seem expedient: And that it shall and may be lawful for two or more of his Majesty's Justices of the Peace for the said County of *Southampton*, acting in and for the Division of the *Isle of Wight*, by Warrant under their Hands and Seals, to order the Directors and acting Guardians to grant such reasonable Relief, as to them the said Justices shall seem meet, to any industrious poor Persons who shall have Occasion to apply for the same, so as no such Order for the Relief of any poor Person or Persons within the said Island shall be made, by any such two or more Justices as aforesaid, until such poor Person or Persons shall have applied or caused Application to be made for such Relief, at some Weekly Meeting of the Committee of Directors and acting Guardians, to be held in pursuance of this Act, and such Relief shall, at such Weekly Meeting, have been refused.

Directors and acting Guardians may order temporary Relief to be out of the House:

Churchwardens, &c. relieving such Poor, to attend the next weekly Meeting, &c.

In case Committee refuse Relief to any poor Person, he may apply to the Justices, &c.

LIX. And be it further enacted, That the Churchwardens, Overseers of the Poor, Constables, and other Parish Officers for the Time being, of all and every the Parishes, Divisions, and Precincts, within the said Island, shall from Time to Time, and at all Times hereafter, aid and assist the said Guardians, Directors, and acting Guardians, to the best of their Power, according to the Duty of their respective Offices, and shall at all Times obey their Warrants and reasonable Orders relative to the Execution of this Act; and in case any Churchwarden or Overseer of the Poor, or Constable, or other Officer, shall refuse or neglect to raise and levy the Sums so assessed upon his respective Parish or Place, or to pay at the Time and Place appointed the Money so collected and levied, or to obey any such Warrants or Orders, or shall wilfully neglect or refuse to perform his or their Duty towards the Indemnification of the several Parishes, in Cases of Bastardy and Pregnancy of single Women; or, if any Overseer shall, without giving Notice at a Weekly Meeting, suffer any Person or Persons having a Wife or Wives, Child or Children, or any single Woman generally known or violently suspected to be with Child, whose legal Settlement shall not be in any Parish within the said Island, to inhabit within the Parish of such Overseer, for the Space of thirty Days, without producing a legal Certificate of their Settlement from the Parish to which they belong, and such Person or Persons, his or their Wife or Wives, Child or Children, or any such single Woman, shall become chargeable to the Guardians of the Poor of the said Island, every such Churchwarden, Overseer, Constable, or Officer, so neglecting or refusing, shall, on Complaint made by the Chairman of any Weekly or other Committee, in the Name of the Whole, to any one or more Justice or Justices of the Peace for the said County of *Southampton*, acting in and for the said Division of the *Isle of Wight*, pay, for every such Offence, being thereof convicted on the Oath of one or more Witnesses or Witnesses, before such Justice or Justices, any Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of such Justice or Justices; such Forfeiture to be paid to the Treasurer

Churchwardens and Overseers to assist and obey the Directors and Guardians.

Penalty on Parish Officers for Neglect of Duty.

urer or Treasurers of the said Guardians, and added by him to the common Stock for the Use of the Poor.

Costs of Removals, &c. to be paid by the Treasurer.

LX. And be it further enacted, That all Costs, Charges, and Expences, attending the Removals of any poor Persons, or the Appeals against any Removals, and all other necessary Expences which shall arise in Cases of Bastardy, or otherwise, and which would, if not otherwise provided for, be paid and defrayed by the particular Parishes or Places within the said Island, shall hereafter be paid and defrayed by the Treasurer of the Corporation for the Time being, out of the Monies in his Hands belonging to the said Corporation: Provided always, That the Treasurer shall not pay the same until the Bill or Account thereof shall have been previously allowed at a Weekly or other Meeting, and an Order made at such Meeting for Payment thereof.

Appeals against Convictions, how to be brought, &c.

LXI. And be it further enacted, That all Appeals against any Convictions given and allowed by virtue of this Act, the Penalties and Forfeitures whereof are given to the Guardians of the Poor of the said Island, shall be brought against the Guardians of the Poor of the said Island, and not against the Informer or Justice concerned in the said Conviction; and all Costs, Charges, and Expences, incurred by the said Guardians, by Reason of such Appeal, shall be paid and defrayed by the said Treasurer of the Corporation, out of the Monies in his Hands belonging to the said Corporation.

Bastards born in the House to belong to their Mother's Parish.

LXII. And be it further enacted by the Authority aforesaid, That every Bastard Child that hath been, or shall hereafter be born of the Body of any poor Woman in the said House of Industry, shall gain and be intitled to a Settlement in the Parish where the Settlement of the Mother shall then be; and that the Settlement of each such Bastard Child shall follow that of the Mother, as fully as if such Bastard Child had been born in such Parish, Township, or Place, to which the Settlement of the Mother shall belong, and shall be deemed as one of the Poor thereof, to every Intent and Purpose whatsoever: And that it shall and may be lawful to and for the Churchwardens and Overseers of the Poor of every such Parish, Township, or Place, to which the Settlement of every such Woman shall belong, and also to and for the Governor of the said House for the Time being (who for this Purpose shall be considered as, and have a like and equal Authority with, an Overseer of the Poor within every Parish and Place within the said Island), or any or either of them, to proceed in the same Manner, and have and take such and the same Remedy against the Mother and reputed Father of any such Bastard Child, for indemnifying the said Guardians of the Poor by reason of such Bastard Child, and likewise in all Respects as the Law directs in the Case of Bastardy, and as fully as if such Bastard Child had been actually born in the Parish, Township, or Place, in which the Mother's Settlement shall then be.

Bonds relating to Bastards to be delivered to the Guardians, &c.

LXIII. And be it further enacted, That all Bonds already given to parochial Officers within the said Island, by private Persons, to indemnify the Parishes from any Charge that may arise from particular Bastard Children, shall be delivered by such respective Officers to the said Guardians of the Poor; and it shall and may be lawful for the said Guardians to sue on any such Bonds so given to such parochial Officers, in their Corporate Name, and they shall recover the Penalties thereof, as if such Bonds had been originally made to them; and all Bonds hereafter given for the same, or any the like Purposes, as aforesaid, shall be made to the said Guardians of the Poor; and all Bonds already or hereafter to be made to the Guardians of the Poor, for the same or any the like Purposes, shall be deemed as good and effectual in Law as if the same had been made to the Officers of the respective Parishes; any Law, Statute, or Custom, to the contrary notwithstanding.

Guardians may give Certificates.

LXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors and acting Guardians of the Poor, at their General Quarterly Meetings assembled as aforesaid, to grant Certificates under the Common Seal of the Corporation, to any Person whose legal Settlement shall be in any Parish or Place within the said *Ile of Wight*, and who shall be willing to remove, or shall have removed, out of the said Island; which respective Certificates, under the Common Seal of the said Guardians, and attested by their Clerk for the Time being, and signed by two Justices of the Peace acting for the Division of the said Island, shall be good and valid to all Intents and Purposes, and no other Certificate whatsoever to be granted within the said Island shall be valid or of any Effect; any Law, Statute, or Custom, to the contrary notwithstanding: And that all Certificates which have been delivered to, and remain in the Custody of, the respective parochial Officers, by Persons residing within the said Island, shall be delivered forthwith, and all Certificates which shall hereafter be delivered to the respective parochial Officers by Persons coming to reside, or residing, within the said Island, shall be, from Time to Time, delivered, within the Space of fourteen Days after the Receipt thereof by such Officer, to the Clerk of the said Corporation for the Time being, who shall cause the same to be filed, so that Reference may be had thereto at any future Time, and shall suffer the same to be inspected by any Person who shall, for good and sufficient Cause, desire to inspect the same at reasonable Hours.

Certificates in Custody of Parish Officers, &c. to be delivered to the Clerk of the Corporation.

Punishment of poor Persons guilty of lewd or disorderly Behaviour.

LXV. And be it further enacted, That if any poor Person maintained and relieved in the said House, shall be guilty of prophane cursing or swearing, or of any lewd, immoral, indecent, or disorderly Behaviour, or shall neglect or refuse to perform the Work or Services which he or she shall be required to do, or shall be remiss therein (such Work or Service being suited to his or her Age, Strength, and Ability), every such Offender shall and may be punished by moderate Correction, or Distinction of Dress, such Punishment to be inflicted by Order of the major Part of the said Directors and acting Guardians present at any Weekly Meeting to be held in pursuance of this Act.

Justice, on Complaint of the Governor, may commit disorderly Persons to the House of Correction.

LXVI. Provided nevertheless, That if the Governor or Governors shall make Complaint to any Justice of the Peace for the County of *Southampton*, acting in and for the Division of the *Ile of Wight*, against any idle or disorderly Person or Persons maintained and relieved in the said House, and such Person shall, on Examination of the Complaint, be adjudged by the said Justice to be guilty of any such Offence, that then it shall and may be lawful for such Justice to commit the Offender to the House of Correction for the said

aid County at *Newport*, in the *Ile of Wight*, for any Time not exceeding one Month, or to direct Corporal Punishment only, or both Corporal Punishment and Commitment, as such Justice, according to the Nature of the Offence, shall think proper.

LXVII. And be it further enacted, That it shall and may be lawful to and for the said Guardians, or any one of them, to apprehend, or cause to be apprehended, all Persons being in any Parish or Place within the said Island, who, not having wherewith to maintain themselves, or their Families, live idle without Employment, and refuse to work, according to their Abilities, for the usual and common Wages given to other Labourers in the like Work, in the Parishes or Places where they then are, or who neglect or refuse to maintain their Wives or Children according to their Abilities, and to convey, or cause to be conveyed, to some Justice of the Peace for the said County, acting in and for the Division of the *Ile of Wight*, the Person or Persons so apprehended, and such Person or Persons so apprehended shall be deemed idle and disorderly, and shall be dealt with according to the Laws, which shall be then in Force, against idle and disorderly Persons.

Guardians may apprehend idle and disorderly Persons within the Island.

LXVIII. And be it further enacted by the Authority aforesaid, That the said Directors shall and may, and they are hereby required, as soon as conveniently may be, to complete and finish the said House of Industry, for the Reception, Maintenance, and Employment, of the Poor of the said Island; and one other separate Building, or Part of a Building, to serve as a House or Houses of Correction for the Punishment and keeping to hard Labour such idle and disorderly Persons, who being able shall refuse to work, or otherwise misbehave themselves; and such other Buildings as shall, in the Opinion of the said Directors and acting Guardians, be necessary for executing the Purposes of the said Act; and that until the said House of Industry, and such other Buildings as shall be adjudged necessary as aforesaid, shall be completed, the said Directors, or any seven or more of them, shall be, and they are hereby declared to be, a Committee to direct and superintend the said Buildings until the same shall be finished; and the said Directors shall keep the said Buildings in good Repair, and from Time to Time alter and enlarge the same, in such Manner as shall be thought convenient, and the Expence of keeping the same in Repair shall be defrayed out of the Money from Time to Time raised by the Rates by virtue of this Act; and the said Committee shall enter all their Proceedings in a Book or Books to be kept for that Purpose, and shall and may, by Order under their Hands, or the Hands of any four or more of them, at a public Meeting assembled, order any Sum or Sums of Money to be paid by the Treasurer or Treasurers out of the Money remaining in his or their Hands for the Purposes of this Act; and also shall and may furnish the said House with all necessary Furniture, Household Goods, and Utensils, and also provide a convenient Stock of Flax, Hemp, Wool, Cotton, Thread, Iron, Stone, and Wood, and other Materials, for the Employment of the Poor received and to be received into such House, and for that Purpose may set up, use, and occupy, any Trade, Mystery, or Occupation whatsoever, in such House.

Guardians to finish and complete the Buildings

and to furnish the same.

LXIX. And be it further enacted, That the Property of all Furniture, Provisions, Cattle, Cloaths, and of all other Goods and Chattels whatsoever, which now are, or at any Time hereafter shall be, received, purchased, or acquired, by the said Corporation, or by any Officer of the Corporation for the Use of the said Corporation, and shall be employed by the said Corporation according to the Purposes of this Act, and also all Debts due to the Corporation for the Poor's Work, or otherwise, shall be, and are hereby absolutely vested in the said Guardians for the Use of the said Corporation; which said Guardians are hereby authorized and empowered, by their said Name of Incorporation, to bring Actions for the Recovery thereof, and also to make any Accusation before any Justice of the Peace against any Person or Persons who shall steal, or be suspected of stealing the same, and the said Justice shall thereupon cause every Person so accused to be apprehended, which said Person so apprehended shall be dealt with as if he had stolen, or were suspected of stealing, the Goods or Chattels of any private Person.

The Property of Furniture, &c. to be vested in the Guardians.

LXX. And be it further enacted, That the House of Industry, erected by virtue of this, or of the above recited Act, shall be considered as a Dwelling-house, and in all Indictments for stealing any Goods or Chattels whatsoever out of the same, it shall be sufficient to set forth that the said House of Industry is the Dwelling-house of the Governor thereof, for the Time being, and every Person convicted of stealing Goods and Chattels out of the said House shall receive the like Sentence and Punishment, according to the Circumstances of his Case, as if he had stolen Goods or Chattels from the Dwelling-house of any private Person.

The House of Industry to be considered as a Dwelling-house, &c.

LXXI. And be it further enacted, That if any of the said Poor, provided for and under the Care of the said Guardians, shall steal, take, carry away, sell, embezzle, pawn, pledge, or wilfully destroy or spoil, any such the aforesaid Furniture, Provisions, Cattle, Cloaths, or any other the Goods or Chattels whatsoever, to the said Corporation belonging as aforesaid, or shall be violently suspected of stealing, taking, carrying away, selling, embezzling, pawning, pledging, or wilfully destroying or spoiling the same, it shall be lawful for two Justices of the Peace for the said County, acting in and for the Division of the *Ile of Wight*, on Application from the Chairman of any Weekly or other Committee, in the Name of the Whole, to hear and determine the Matter of the said Accusation or Suspicion, and on Confession of the Party, or on due Proof before them by one credible Witness, or more, to order such Confinement and corporal Punishment of any such Offender in the House of Correction, instead of any Prosecution for Felony as aforesaid, as they shall think proper; and in case any poor Person so accused shall have absconded, it shall be lawful for the Directors and acting Guardians at such Weekly or other Meeting, by Warrant under the Seal of the said Corporation, to cause such Person to be apprehended within the said Island, and to be conveyed to the said House of Industry, there to be confined and punished as aforesaid: And in case any Person or Persons shall knowingly buy or receive, or cause to be bought and received, or shall otherwise take into his, her, or their Custody or Power, any such of the aforesaid Goods, Cattle, Chattels, Furniture, Provisions, Cloaths, Linen, Wearing-apparel, Tools, Utensils, and Materials whatsoever before-named, from or by Means or Contrivance of any of the Poor under the Care and Management of the said Guardians, or from any other Person or Persons, without the Privity and Consent of the said

Penalty on poor Persons who shall sell or pawn, &c. any Furniture, Provisions, or Cloaths, belonging to the Corporation;

and on Persons buying or receiving the same;

or harbouring any of the Poor who have absconded, &c.

said Guardians at some such Weekly Meeting; or in case any Person or Persons shall knowingly receive, entertain, keep, or conceal, any of the said Poor under the Care of the said Guardians, who shall have absconded, eloped, or deserted from the said House of Industry without the Privity and Consent of the said Guardians, every such Person or Persons so offending, and being convicted of any of the Offences aforesaid, on his or her own Confession in Writing, or upon the Oath of any one Witness before any one Justice of the Peace for the said County, acting in and for the Division of the said *Ile of Wight*, shall forfeit and pay for every such Offence, the Sum of five Pounds, over and besides the Value of the Goods, Cattle, Chattels, Apparel, or Materials, so bought, received, or taken, into his, her, or their Custody, to be estimated at the Price the same were originally bought for when new for the Use of the said Corporation.

Penalty on Persons opposing the Execution of this Act.

LXXII. And be it further enacted, That if any Person shall, by open Force and Violence, hinder, or endeavour to hinder, the lawful Execution of any of the Powers and Authorities vested in any of the Officers, or Members of this Corporation, by virtue of this Act, and shall be thereof convicted, on Oath of one Witness, before one of his Majesty's Justices of the Peace acting in and for the Division of the *Ile of Wight*, every Person so offending shall forfeit, for every such Offence, a Sum not exceeding five Pounds, nor less than twenty Shillings, to the Use of the said Corporation, to be levied by Distress and Sale; and if sufficient Distress cannot be found, every such Person shall be committed to the House of Correction at *Newport*, within the said Island, and be kept to hard Labour for any Time not exceeding two Calendar Months

Convictions not to be quashed for want of Form.

LXXIII. And be it further enacted, That all and every Conviction and Convictions for any Penalty whatsoever, in pursuance of this Act, and in any-wise relating to the said Corporation, shall be drawn up in the following Manner, or in Words to the same Effect, and shall not be quashed, or vacated, or any Advantage taken thereof, for want of Form.

Form of Conviction.

Ile of Wight, } BE it remembered, That on the Day of _____ in the Year
in the County } of his Majesty's Reign, is [or are] convicted before
of *Southampton*. } in the Sum of _____ for [specifying the Offence and
' *Facts as the Case shall be.*]
' Given under _____ Hand and Seal, [or Hands and Seals,] the Day and Year aforesaid.'

Penalties and Forfeitures how to be recovered.

LXXIV. And be it further enacted, That all pecuniary Penalties and Forfeitures inflicted, directed, and made payable to the Use of the said Corporation, as are herein mentioned and expressed (except in such Cases where it is hereby otherwise ordered) and also all such other pecuniary Penalties and Forfeitures whatsoever, which shall be inflicted and appointed by any Bye-law or Ordinance to be made by the said Corporation, pursuant to the Power hereby given, shall and may be severally recovered, and are hereby directed and empowered to be severally recovered, by Distress and Sale of the Goods and Chattels of every such Person having incurred any such Forfeitures, and being thereof convicted, by virtue of a Warrant or Warrants under the Hands and Seals of any two or more Justices of the Peace for the said County of *Southampton*, acting for the Division of the *Ile of Wight*, together with the Costs of Distress, to be ascertained by such Justices (who are hereby severally empowered and required, upon the Application of any Person, by Order of the said Directors and acting Guardians, to issue and grant such Warrant or Warrants, in case such Penalty or Forfeiture shall not be paid, or Notice of Appeal given, within ten Days after such Conviction;) and in case such sufficient Distress shall not be found, then it shall and may be lawful for any such Justices, by Warrant under their Hands and Seals, upon the like Application, to apprehend any such Offender or Offenders, and by virtue of such Warrant to cause such Offender to be committed to the House of Correction at *Newport*, in the *Ile of Wight*, for such Space of Time as such Justices by such Warrant shall appoint, not exceeding three Months, unless he or they shall sooner pay such Penalty or Forfeiture, together with the Charges attending the Proceedings against him or them, to be ascertained by such Justices, as aforesaid.

Persons aggrieved may appeal to the Quarter Sessions;

LXXV. Provided always, and be it enacted, That in all Cases of Penalties and Forfeitures given by this Act, to be levied by Distress and Sale, on Conviction before one or more Justice or Justices (except where an Appeal is expressly taken away by the Provisions of this Act), it shall and may be lawful for any Person who shall think himself or herself aggrieved by such Conviction, to appeal to the next General Quarter Sessions of the Peace, to be holden for the said County at *Winchester*, against such Conviction, on giving Notice to the Directors and acting Guardians of such Appeal, and entering into a Recognizance of ten Pounds, with sufficient Sureties, before one or more Justice or Justices of the Peace for the said County of *Southampton*, acting for the Division of the *Ile of Wight*, upon Condition to prosecute such Appeal; and, in case the said Conviction shall be confirmed, to pay the Costs and Charges of the said Directors and acting Guardians attending such Appeal, to be allowed by such Justices; and the Justices at such Session assembled shall and may hear and finally determine such Appeal, and may mitigate, or set aside, such Penalties, in such Manner, and award such reasonable Costs to either Party, as they shall think proper.

whose Determination shall be final.

Justices to proceed on Complaint of Directors, &c.

LXXVI. And be it further enacted by the Authority aforesaid, That in all Cases where one or more Justice or Justices of the Peace is or are empowered, by the Laws now in being, to proceed on the Complaint of the Churchwardens and Overseers of the Poor of any Parish or Parishes, or of any of them, it shall and may be lawful to and for such Justice or Justices of the Peace, and he and they is and are hereby required to proceed on the Complaint of any of the said Directors or acting Guardians, Governors or Stewards for the Time being, in such and the like Manner, to all Intents and Purposes, as if such Complaint had been made by such Churchwardens, or Overseers, or any of them: And, for the better and more easy Execution of the Powers and Authorities in this Act contained, all Warrants issued by any

Governors or Stewards may act as Peace Officers.

Justice

Justice or Justices of the Peace, in pursuance of this Act, or any ways respecting the Government and Management of the Poor within the said Island, shall and may be directed by such Justice or Justices of the Peace, either to the Governors or Stewards of the said House of Industry, for the Time being, or to the Constable or Constables, or other Peace Officer or Officers of the Parish or Place where the same are to be respectively executed, and such Governors or Stewards are hereby authorized and required to execute such Warrants so directed to them, accordingly; and all Persons are hereby required to be aiding and assisting to such Governors or Stewards in the Execution of such Warrants, in the same Manner as if such Warrants had been executed by a Constable or other Peace Officer.

LXXXVII. And be it further enacted, That all Forfeitures arising from any Offences committed within the said Island, where the Whole, or any Part thereof, is given to the Poor of the Parish, or for any Offences against this Act, shall be paid to the Treasurer or Treasurers to the said Corporation, to the Use of the Poor of such House.

LXXXVIII. And be it further enacted, That it shall and may be lawful to and for the Chairman of any Weekly Committee, or other Meeting of the Directors and acting Guardians, to be held in pursuance of this Act, and also to and for any Justice or Justices of the Peace of the County of *Southampton*, acting in and for the Division of the *Ile of Wight*, before whom any Complaint shall be made, by virtue of this Act, to issue a Summons, in Writing, under his or their Hand or Hands, for the Appearance of any Person or Persons before him or them, as Witness or Witnesses in any such Complaint, and to examine any such Person or Persons upon Oath; which Oath such Chairman, and Justice or Justices, is and are hereby empowered to administer, touching and concerning such Complaint.

LXXXIX. And whereas on the Trial of Actions for Offences against this Act, and on the Hearing of Examinations and Appeals touching Orders of Removal to and from the said Island, and also touching Orders of Bastardy concerning Bastards chargeable, or likely to become chargeable, to any Parish within the said Island, and also touching Convictions or Adjudications of Offences and Defaults, for which Penalties or Forfeitures are or may be imposed by virtue of this Act, or are or may, by virtue of any other Act, be levied for the Use of the Poor of any Parish or Place within the said Island, it will generally happen that Persons who can give the most satisfactory Testimony in such Cases will be Persons who pay to the Rates and Assessments imposed by Order or Direction of this Corporation, or Persons who are Officers of the same, or who are maintained within the House of Industry, or otherwise supported by this Corporation: And whereas such Persons may frequently be deemed to be interested, and the Judges before whom they appear as Witnesses may incline to reject their Testimony on such Occasions; for Remedy whereof, be it enacted and declared, That in all Actions to be brought in any of his Majesty's Courts of Record at *Westminster*, for the Recovery of any Penalty or Forfeiture given by this Act; and at the Hearing of all Examinations and Appeals touching Orders of Removal to and from the said Island, or touching Orders of Bastardy concerning Bastards chargeable, or likely to become chargeable, to any Parish or Place within the said Island, or touching Adjudications or Convictions of Defaults and Offences, for which Forfeitures or Penalties are or may be imposed by virtue of this Act, or touching any Penalties or Forfeitures which, or any Part of which, by the Laws now in being, or by any Laws hereafter to be made, are or may be given to the Poor of any Parish or Place within the said Island, the Evidence of Persons who pay to the Rates and Assessments imposed by Order or Direction of this Corporation, and of Persons who are Members or Officers of the same, and of Persons who are maintained within the said House of Industry, or who are otherwise supported or assisted by the said Corporation, shall be taken and admitted, any Law, Custom, Rule, or Usage, to the contrary notwithstanding.

LXXX. And be it enacted by the Authority aforesaid, That the several Workhouses belonging to the several Parishes in the *Ile of Wight*, together with the Lands thereunto belonging, which, by the above-recited Act, are or were vested in the Trustees named in the said recited Act, shall continue to be vested in the said Trustees, unless they have already sold or conveyed away the same; and that the said Trustees and their Heirs shall and do sell and convey such of the said Houses and Lands, as they have not already sold and conveyed away, to such Person or Persons as shall be willing to purchase the same, and shall and do pay the Monies arising by such Sale or Sales into the Hands of the Treasurer of the said Corporation, to be applied to the common Stock of the said Corporation, for the Purposes of this Act; and all and every Assignments, Conveyances, and Assurances whatsoever, of all and every or any of the Workhouses of the several Parishes within the said Island, sold under the said Act by the Trustees therein mentioned, or the Survivors or Survivor of them, and all and every other Act and Acts, Thing and Things whatsoever, done or procured to be done by the said Directors, or by the said Directors and Guardians, chosen and acting under and by virtue of the said Act, shall be, and are hereby declared to be, valid and effectual in the Law, to all Intents and Purposes, as if the said Act was to remain, continue, and be in full Force, and not hereby repealed.

LXXXI. And be it further enacted by the Authority aforesaid, That from henceforth all Right of Common, and Common of Pasture, and other Rights and Privileges, in, over, or upon, the said Land or Ground, comprised in and granted by the said recited Letters Patent, shall cease, determine, and be forever extinguished and annihilated, to all Intents and Purposes; and that such Land or Ground, or any of the Buildings already made and erected, or hereafter to be made and erected thereon, shall not be subject or liable to the Payment of any Rates, Taxes, or Levies whatsoever, or to any Claims or Demands whatsoever, for amending, maintaining, or repairing, any Way or Road whatsoever, on account of inclosing the said Land.

LXXXII. And be it further enacted by the Authority aforesaid, That all voluntary Contributions, which well-disposed and charitable Persons shall think proper to make towards the carrying on the good Purposes hereby intended, shall be paid to and received by the Treasurer of the said Guardians, and be applied and disposed of in such Manner, for the Maintenance, Cloathing, Employment, Accommodation

Forfeitures given to the Poor to be paid to the Treasurer.

Chairman of a Weekly Committee, &c. may summon Witnesses, and examine them on Oath.

Poor maintained in the House, Inhabitants, &c. to be deemed competent Witnesses.

Trustees to sell Workhouses not already sold.

All Assignments, &c. of Trustees, Directors, &c. under former Act, to be valid.

Rights of Common on the Land inclosed extinguished, &c.

Voluntary Contributions how to be disposed of.

and Benefit of the Poor in the said House, as the Contributor and Contributors shall direct and appoint; and if no particular Direction or Appointment shall be given or made, touching the Application of such Contributions, the same shall be made Part of the common Stock, and applied for the general Purposes of this Act; and a List of the Names of such Contributors, and an Account of the Sums by them contributed, shall be affixed in the most conspicuous Part of the said House.

Saving the
Rights of Lords
of Manors,
&c.

LXXXIII. And be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not prejudice or affect the Rights of the Lord and Lords of any Manor or Manors within the said Island, and of the Freeholders and other Inhabitants within the said Island, in and to all Rights of Common, or other Rights or Privileges whatsoever, in, upon, or within the said Forest of *Parkburst*; but that such Lord or Lords for the Time being, and all Persons claiming or to claim, under or in Trust for him or them as Lord or Lords aforesaid, and also all Freeholders and Inhabitants within the said Island, shall at all Times hereafter hold and enjoy all Rights of Common, and other Rights and Privileges, other than and except such Right of Common, and other Rights and Privileges, as can or may be claimed by them, any or either of them, upon the Land inclosed by virtue of the said recited Act, in as full, ample, and beneficial Manner, to all Intents and Purposes, as the same would have been held or enjoyed in case this Act had not been made.

Limitation of
Actions.

LXXXIV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Southampton*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; and where any Distress shall be made for any Sum or Sums of Money justly due, the Distress itself shall not be deemed to be unlawful, nor shall the Party or Parties concerned therein be deemed Trespasser or Trespassers for Want of Form in any of the Proceedings, nor shall the Parties be deemed Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Party or Parties aggrieved shall recover Satisfaction for the special Damage he, she, or they shall have sustained, and no more: And if in any Action or Suit as aforesaid, a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinued 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 said Plaintiff or Plaintiffs, the Defendant and Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law; and in all Actions and Suits so commenced and prosecuted, the Inhabitants of the said Island shall be deemed and admitted to be good Evidences, any Law, Usage, or Custom, to the contrary notwithstanding.

General Issue.

Distress not
deemed unlaw-
ful for want of
Form, &c.

Treble Costs.

Plaintiff, on Re-
covery, to be
paid full Costs.

Plaintiff not to
recover after
Tender of A-
mendments made.

Commencement
of this Act, and
Repeal of the
former one.

Expences of this
Act how to be
paid.

Public Act.

LXXXV. Provided always, That where the Plaintiff or Plaintiffs shall recover in such Action, he, she, or they shall be paid his, her, or their full Costs of Suit, and have all the like Remedies for the same as in the other Cases of Costs.

LXXXVI. Provided nevertheless, That no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, if Tender of Amendments hath been made by the Party or Parties complained of, before such Action brought; and that for this Purpose the Plaintiff or Plaintiffs, before such Action brought, shall give six Weeks Notice to the Party against whom he proposes to bring the same.

LXXXVII. And be it further enacted, That this Act shall take place on the first Day of *June* next ensuing the passing of this Act; and, from and after the said first Day of *June*, the above-recited Act, passed in the eleventh Year of the Reign of his present Majesty (intituled, *An Act for establishing a House or Houses of Industry in the Isle of Wight, for the Reception, Maintenance, and Employment of the Poor belonging to the several Parishes and Places within the said Island*), be wholly and entirely repealed.

LXXXVIII. And be it further enacted, That the Expences of procuring this Act of Parliament shall be paid out of the first Monies to be raised or borrowed by virtue of this Act.

LXXXIX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act; and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

C A P. LIV.

An Act to continue an Act, made in the fifth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act to prevent the committing of Frauds by Bankrupts*); and also an Act, made in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to prohibit the Importation of light Silver Coin of this Realm from Foreign Countries into Great Britain or Ireland, and to restrain the Tender thereof beyond a certain Sum*).

“ 5 Geo. II. c. 30. further continued for five Years; and 14 Geo. III. c. 42. further continued for two Years.”

C A P. LV.

An Act to enable the Trustees of certain Charity Lands, belonging to the Poor of *Salford*, in the County Palatine of *Lancaster*, to grant Building-leases thereof.

“ Indenture of Grant by *Humphrey Booth*, &c. dated 18th Feb. 6 Car. I. recited. The Trustees, &c. may lease the Trust-estate for 99 Years; and from Time to Time renew such Leases, &c. Lessee may take
“ down

“ down Buildings, and set out Ways or Streets, &c. The most improved Rent to be reserved, and paid quarterly. Lessees to covenant to build and repair, and deliver up Possession, &c. Leases to contain a Power of Re-entry for Non-payment of Rent. The Trustees, on granting Leases, may take Fines sufficient to defray the Expences of this Act; and may apply Part of the Rents in making Improvements, and Payment of Agents Salaries. Trustees are impowered to direct the Constables, &c. in the Distribution of the Rents. Leases made by virtue of this Act deemed valid.”

C A P. LVI.

An Act for supplying the Borough and Town of *Brecknock*, and Liberties thereof, with Water; and for paving, cleansing, regulating, and lighting, the Streets, Lanes, and public Passages there; and for widening and making commodious some of the said Streets, Lanes, and Passages.

C A P. LVII.

An Act for paving, cleansing, lighting, and watching, the Borough and Town of *Weymouth* and *Melcombe Regis*, in the County of *Dorset*; and for removing all Incroachments, Obstructions, and Annoyances therein.

C A P. LVIII.

An Act to explain and amend an Act, made in the twelfth Year of his present Majesty, for paving, cleansing, lighting, and watching, the Streets and Lanes in the Town and Parish of *Chatham*, in the County of *Kent*; and for removing and preventing Nuisances and Annoyances therein; and to extend the Provisions of the said Act to such Parts of the *High-street* in *Chatham*, as are situate in the Parishes of *Saint Margaret* and *Gillingham*, and to other Places adjoining or contiguous to the said Town.

“ WHEREAS an Act was made in the twelfth Year of the Reign of his present Majesty, for paving, cleansing, lighting, and watching, the Streets and Lanes in the Town and Parish of *Chatham*, in the County of *Kent*; and for removing and preventing Nuisances and Annoyances therein: And whereas the Commissioners appointed by, or in pursuance of the said Act, have caused the greatest Part of the said Streets and Lanes to be paved, cleansed, and lighted, but Part of the *High-street* of the said Town of *Chatham* being within the Parish of *Saint Margaret* next the City of *Rochester*, and another small Part of the said *High-street* lying within the Parish of *Gillingham*, in the said County of *Kent*, Doubts have arisen whether the said Act empowers the said Commissioners to pave, cleanse, light, and watch, such Parts of the said *High-street* of the said Town of *Chatham* which lie within the said respective Parishes of *Saint Margaret* and *Gillingham*, for which Reason those Parts have not yet been paved, cleansed, lighted, or watched; and the said Act has in several other Respects been found ineffectual; 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 *Thomas Tomlyn*, *William Kettle*, *John Burton*, *John Matthews*, *William Moulden*, *John Southerden*, *Thomas Baker* the elder, and *John Maynard*, together with the Commissioners appointed for putting in Execution the said recited Act, shall be, and they are hereby appointed, Commissioners for putting in Execution the said recited Act, and this Act.

Preamble.
Act 12 Geo. III,
recited.

II. And be it further enacted, That, from and after the passing of this Act, the Property of the Pavements in all and every the Streets, Lanes, and public Passages, as well of that Part of the Parish of *Saint Margaret* next the City of *Rochester*, in the said County of *Kent*, which lies on the South Side of the said *High-street* of *Chatham*, commencing at, and extending from, a Boundary Stone, placed at the End of *Chatham* Parish, next a certain Place called *The Chapel-steps* in the said Parish of *Chatham*, Westward, to a certain House called *The Round-about-house* at or near *Saint Margaret's Bank*; and of that Part of the Carriage-way in the said Parish of *Saint Margaret*, which extends from the said House called *The Round-about-house*, Westward, opposite to the End or Corner of his Majesty's *Vitrualling-office-wall*, next to a certain Lane there commonly called *Hangman's Lane*, on the North Side of the said *High-street*; and also the Pavements from the said House called *The Round-about-house* along the Bank called *Saint Margaret's Bank*, Westward, to a certain Public-house or Inn lately called *The Flying-horse*, but now *The Horse and Groom*, in the Parish of *Saint Nicholas*, within the City of *Rochester*, in the said County of *Kent*, and the several Lanes and public Passages to the said Bank adjoining; as also the Pavements in that Part of the Parish of *Gillingham*, in the said County of *Kent*, which adjoineth to and maketh Part of the said *High-street* of *Chatham* aforesaid, and the several Lanes and public Passages thereto adjoining; as also the Pavements in all and every the *High-street*, Streets, Lanes, public Ways, and Passages, within the said Town and Parish of *Chatham*, as well those Parts used by Carriages, as those used by Foot-passengers, within the said several and respective Parishes and Limits aforesaid, now in being, or which hereafter shall be made or laid out, or intended for any Street, Lane, or public Passage, and of all Materials, Implements, and other Things, to be purchased for the Purposes of the said recited, or this Act, or used, or to be used, in or about the making or repairing the said Pavements; shall be, and the same are hereby respectively vested in the Commissioners appointed by the said recited Act, or in pursuance thereof, and by this present Act: And they are hereby authorised and impowered to pave, cleanse, light, and watch, the said *High-street*, Streets, Lanes, public Ways, and Passages, of the said several and respective Parishes within the Limits before described, or to make Contracts for executing, performing, and completing, the said several Pavements,

Additional
Commissioners.

The Property of
Pavements, &c.
in certain Parts
of *Saint Margaret*
and *Gillingham*
Parishes,
as also in all
Parts of *Chatham*
Parish,
vested in the
Commissioners;

who are im-
powered to pave,
or make Con-
tracts for pav-
ing, the Streets,
&c.

Pavements, Works, and Duties aforesaid, and to remove all Signs, Sign-irons, and Posts, Incroachments, Shop-windows, Projections, Trees, Nuisances, and Annoyances whatsoever, and to convey the Water from the Roofs and Pent-houses by proper and sufficient Pipes or Trunks, to be fixed to the Sides of the House, Shop, Warehouse, or other Building, whereto the same belongs, within the Limits aforesaid, and to recover the Charges and Expences attending the same, and the Forfeitures and Penalties incurred thereby, or for Offences committed, in such and the like Manner, and by such and the like Ways and Means, as are particularly provided, declared, mentioned, and expressed, in and by the said recited Act, and this Act, in all Points and Respects.

Directions for the Foot-pavement on Saint Margaret's Bank.

Commissioners impowered to erect Bars and Posts on Saint Margaret's Bank :

Provided they do not deprive the Inhabitants of their Right of Passage, &c.

Commissioners not to pave Gillingham, without the Consent of the Owners of Estates.

The Expences of Paving how to be borne :

To be paid either by Landlord or Tenant.

If Tenants pay, they are to be allowed it out of their Rent.

Penalty on Landlord's or Tenant's neglecting to pay, within ten Days after Demand.

III. And be it further enacted, That such Parts of the Footway upon *Saint Margaret's Bank* aforesaid, which shall be paved with *Maidstone* Flats, or *Purbeck* Squares, or other flat or smooth Pavement, shall not exceed five Feet in Breadth, of such flat or smooth Pavement; unless the Landlords or Owners of the several and respective Houses and Buildings shall request or desire it.

IV. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and impowered (if absolute Occasion or Necessity shall require it, but not otherwise) to place, erect, or fix, one or more Bar or Bars, and Posts, in and upon the said Bank called *Saint Margaret's Bank*, for preventing a public Thoroughfare for Horses and travelling Carriages to pass over the said Bank, to annoy the Inhabitants residing there, and from Time to Time to remove, or take away, and again to replace, such Bars and Posts, at their free Wills and Pleasures.

V. Provided always, That nothing herein contained shall be construed to deprive the Owners or Proprietors, or the Tenants or Occupiers, of the respective Tenements, Houses, or Buildings, upon *Saint Margaret's Bank* aforesaid, of their accustomed Right and Way of Passage, with Horses, Carriages, or otherwise, in, upon, or over the said Bank, into the High Road there adjoining, and leading to the City of *Rochester*, or Parish of *Chatham* aforesaid, respectively.

VI. And be it further enacted, That nothing herein contained shall be construed to impower the said Commissioners to pave the Footway in that Part of *Gillingham* Parish which adjoins *Chatham High-street*, unless all the Proprietors of Estates there shall, by Petition under their Hands addressed and presented to the said Commissioners at a Meeting assembled, particularly request and desire the same; but the said Commissioners shall, nevertheless, have Power (if they think proper) to cleanse and light that Part of the said Parish of *Gillingham*, and the several Lanes which adjoin and make Part of the said *High-street* of *Chatham* aforesaid.

VII. And be it further enacted, That all Charges and Expences attending the paving, maintaining, repairing, and keeping in Repair, the said several Streets, Lanes, public Ways and Passages, by virtue, and within the Limits of the said recited or this present Act, shall be borne and defrayed, under the Direction and Order of the said Commissioners, by the Owner or Owners, Proprietor or Proprietors, or by the Parent, Trustee, Guardian, Assignee, or *Cestuique* Trust of any Owner or Owners, Proprietor or Proprietors, of the several Houses, Buildings, Yards, Alleys, Passages, Gardens, Tofts, Ruins, Waste Grounds, Lands, Tenements, and Hereditaments, lying next to or adjoining such respective Pavements; and shall be paid to the Collector or Clerk for the Time being of the said Commissioners, by the Owner or Owners, Proprietor or Proprietors, or by their respective Parents, Trustees, Guardians, Assignees, or *Cestuique* Trusts, or their respective Tenants, or Occupiers of the said several Houses, Buildings, Yards, Alleys, Passages, Gardens, Tofts, Ruins, Waste Grounds, Lands, Tenements, and Hereditaments, at the Option or Choice of the said Commissioners; and such Tenant or Occupier, in case he, she, or they, shall pay the same, shall be at Liberty, and they are hereby impowered to deduct and retain out of his, her, or their Rent or Rents, such Sum or Sums of Money as they shall respectively pay on account thereof for their respective Landlords, Owners, or Proprietors, who are hereby required to allow and deduct such Payments accordingly upon the Receipt of the Residue of their respective Rents: And if any Owner or Owners, Proprietor or Proprietors, or his, her, or their Parents, Trustees, Guardians, Assignees, *Cestuique* Trusts, Tenants, or Occupiers, shall neglect or refuse to pay such Charges within ten Days next after Demand thereof made, by Notice in Writing, under the Hand of the said Collector or Clerk, to be delivered to, or left at the Dwelling-house or Place of Abode of, such Owner or Owners, Proprietor or Proprietors, or of their respective Parents, Trustees, or Guardians, or their respective Tenants, or Occupiers thereof, the same shall and may be levied on every such Owner or Owners, Proprietor or Proprietors, or on their respective Parents, Trustees, or Guardians, or on their respective Tenants, or Occupiers thereof, at the Option or Choice of the said Commissioners, by Distress and Sale of his, her, and their respective Goods and Chattels, by Warrant under the Hands and Seals of any two or more Justices of the Peace acting in and for the Western Division of the said County of *Kent*, or for the City of *Rochester*, under whose Jurisdiction the same shall arise (which Warrant the said Justices are hereby authorized and required to grant upon Information, on Oath, of such Neglect or Refusal and Notice; which Oath such Justices are hereby impowered and required to administer without Fee or Reward), returning the Overplus (if any) of the Monies to be raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods and Chattels so distrained, on Demand; and in case such Owner or Owners, Proprietor or Proprietors, or their respective Parents, Trustees, Guardians, Assignees, or *Cestuique* Trusts, shall not live within the several and respective Parishes of *Chatham*, *Saint Margaret*, and *Gillingham* aforesaid, that then the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, such respective Pavements, shall and may be levied upon such Owner or Owners, Proprietor or Proprietors, or his, her, or their respective Parent, Trustee, or Guardian, of the several and respective Houses, Buildings, Yards, Alleys, Passages, Gardens, Tofts, Ruins, Waste Grounds, Lands, Tenements, and Hereditaments, by Distress and Sale of the Goods and Chattels of such Proprietor or Proprietors, or of his, her, or their respective Parent, Trustee, or Guardian, by Warrant under the Hands and Seals of any two or more Justices of the Peace for the County, City, Borough, Town, Division,

sion, or Place; where such Goods or Chattels shall be; such Owner or Owners, Proprietor or Proprietors, or his, her, or their respective Parent, Trustee, or Guardian, having refused or neglected to pay the same for the Space of ten Days next after Demand made thereof, by Notice in Writing, under the Hand of the said Collector or Clerk, or of his Agent or Attorney for that Purpose appointed, to be delivered to, or left at the Dwelling-house or Place of Abode of, such Owner or Owners, Proprietor or Proprietors, or of his, her, or their respective Parent, Trustee, Guardian, Assignee, or *Cestuique* Trust, Oath of such Refusal or Neglect, and Notice, being first made, by a credible Witness, before such Justice or Justices granting such Warrant as aforesaid, which Oath such Justice or Justices is and are hereby impowered to administer.

VIII. And be it further enacted, That the Parishioners of the respective Parishes of *Saint Margaret* and *Gillingham* aforesaid shall, under the Direction of the said Commissioners, bear and sustain the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, such Part and Parts of the several Pavements to them respectively belonging within the Limits aforesaid, and by them accustomed to be paved, maintained, repaired, and kept in Repair, and the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, such parochial Pavements, within the said Parishes of *Saint Margaret* and *Gillingham*, and Limits aforesaid, shall be paid to the said Collector or Clerk, by the Surveyors of the Highways, or by the Churchwardens or Overseers of the Poor of the respective Parishes aforesaid, for the Time being, or by any, or either, or such of them as have heretofore been accustomed, and of Right ought to pave, maintain, repair, and keep in Repair, such parochial Pavements; which said Charges and Expences, so to be paid by the said Surveyors of the Highways, or the Churchwardens or Overseers of the respective Parishes aforesaid, shall be allowed to them respectively, in all Accounts, touching their several Offices or Departments, and to all others whom it may concern: And in case the said Surveyors of the Highways, or the Churchwardens or Overseers of the Poor, of the said respective Parishes, or any or either of them, shall neglect or refuse to pay to the said Collector or Clerk the Charges and Expences hereby directed to be paid by them respectively, for the Space of twenty Days next after the same shall be demanded of them respectively, by Notice in Writing under the Hand of the said Collector or Clerk, to be delivered to them respectively, or left at their respective Dwelling-houses or usual Places of Abode; then, and in every such Case, the said Charges and Expences, so neglected or refused to be paid, shall and may be levied by Distress and Sale of the Goods and Chattels of the said Surveyors of the Highways, or the Churchwardens or Overseers of the Poor of the respective Parishes aforesaid, for the Time being, or such of them as by the said recited Act, or this Act, is or are directed to pay the Charges and Expences so neglected or refused to be paid; and such Distress shall be made by Warrant under the Hands and Seals of any two or more Justices of the Peace, acting in and for the Western Division in the said County of *Kent*, or for the City of *Rochester*, under whose Jurisdiction the same shall arise, which Warrant the said Justices (on Oath being first made before them of such Neglect or Refusal and Notice) are hereby authorized, required, and impowered, to administer and grant; and the Overplus of the Monies arising by such Distress and Sale (if any), after deducting the Charges attending the same, shall be returned to the Owner or Owners of the Goods and Chattels so distrained and sold, on Demand.

IX. And be it further enacted, That such Parts of the *High Street*, Streets, and Lanes, within the said Town and Parish of *Chatham*, which have been first paved, or which, at any Time hereafter, shall be first paved, by the said Commissioners, out of the Rates to be raised by virtue of the said recited Act, or this Act, shall, from Time to Time thereafter, be paved, repaired, and kept in Repair, under the Direction of the said Commissioners, by and at the Expence and Charges of the several Owners or Proprietors of the respective Houses, Tenements, and Hereditaments, fronting or adjoining such Pavements.

X. Provided always, That nothing in the said recited Act contained shall be construed to extend to charge any Proprietors of Estates, in the said respective Parishes of *Saint Margaret* and *Gillingham*, with the Repairs of any of the parochial Pavements thereof, but that the same shall be first paved, and afterwards kept in Repair, under the Direction of the said Commissioners, by and at the Expence of the Parishioners of the said respective Parishes.

XI. And be it further enacted, That all Arrears of the Charges and Expences of first paving, maintaining, repairing, and keeping in Repair, the respective Pavements, within the Limits of the said recited Act, or this Act, shall and may be collected, levied, and recovered, by such and the same Ways and Means, and by virtue, and under such and the like Powers and Authorities, as are granted, provided, and appointed, by the said recited Act and this Act, for recovering the Charges and Expences of first paving, maintaining, repairing, and keeping in Repair, the respective Pavements in the several and respective Parishes of *Chatham*, *Saint Margaret*, and *Gillingham* aforesaid.

XII. And be it further enacted, That such only of the old Pavement and Materials as have been, or are now used in the Pavements of the several Streets and Lanes, within the Limits described in the said recited Act, or in this Act, shall be hereafter used in the paving, repairing, maintaining, or amending, of the said Streets and Lanes, or any of them, as the said Commissioners shall think fit, any Thing contained in the said recited Act to the contrary thereof in any-wise notwithstanding.

XIII. And, for defraying the Charges and Expences attending the Execution of the said recited Act, and of this Act, be it further enacted, That, from and after the passing of this Act, one Rate or Assessment shall once in every Year be made, laid, and assessed, by the said Commissioners, or by any seven or more of them, upon all and every Person and Persons who do and shall inhabit, hold, use, occupy, possess, and enjoy, any House, Shop, Warehouse, Wharf, Building, or other Tenement or Hereditament, within that Part of the said Parish of *Saint Margaret* which lies on the South Side of the said *High-Street* of *Chatham*, commencing at, and extending from, the aforesaid Boundary Stone next the said *Chapel-steps* in *Chatham* aforesaid, unto the said Public-house or Inn, late called *The Flying-horse*, but now *The Horse and Groom*, and within the several Lanes, Yards, and Places, near and adjoining thereunto, as also within that Part of the said Parish of *Gillingham*, and the several Lanes and Passages adjoining and leading into the

Parishioners of *Saint Margaret* and *Gillingham* to pay for the Pavements on certain Places.

Penalty for Default of Payment.

Streets and Lanes first paved by Commissioners, to be afterwards kept in Repair by Owners of Houses.

Provido.

How Arrears of Expences of first paving, and keeping in Repair, shall be recovered.

What Part of the old Materials may be made use of.

Commissioners impowered to make Rates.

the *High-street* of the said Town of *Chatham*, in such Sum and Sums of Money as the said Commissioners, or any seven or more of them, shall judge necessary; so as such Rate or Assessment, with respect only to the several Parishes of *Saint Margaret* and *Gillingham* aforesaid, shall not exceed in the Whole Sixpence in the Pound, in any one Year, of the yearly Rent or Value of such House, Shop, Warehouse, Wharf, Buildings, or other Tenements or Hereditaments, according to the Rack-rent, or full yearly Value thereof: And the said Rate or Assessment shall be, and the same is hereby vested in the said Commissioners, and shall be by them applied for the Purposes of the said recited Act, and of this Act, and shall be consolidated and made one joint and general Fund with the Rates appointed to be made by the said former Act, and the said Rate or Assessment shall be made in the Month of *July* in every Year; and the said Commissioners shall be, and they are hereby invested with, the same Powers, of inspecting and making Extracts from the Poor-rates, of appointing one or more Collector or Collectors, within the respective Parishes of *Saint Margaret* and *Gillingham* aforesaid, of the Rates or Assessments to be made by virtue and in pursuance of the said recited Act, or this Act, and to levy and recover the Money so rated or assessed on the Inhabitants of those Parts of the said respective Parishes of *Saint Margaret* and *Gillingham* before described, and intended to be included under the said former and this present Act, and also the Penalty incurred by any Person or Persons neglecting or refusing to execute the Office of Collector or Collectors of the said Rates or Assessments, as fully and effectually, as if the said respective Parishes of *Saint Margaret* and *Gillingham*, within the Limits aforesaid, had been comprised in the said former Act.

XIV. Provided always, That nothing in the said recited Act or this Act contained shall extend, or be construed to extend, to excuse any Person or Persons, within the respective Parishes of *Saint Margaret* and *Gillingham* aforesaid, from the Statute or Highway Duty or Labour, or Contribution or Composition-money in lieu thereof.

XV. And be it further enacted, That such Part of the said former Act as impowers the Commissioners to make a Rate or Assessment, not exceeding Four-pence in the Pound, upon the Inhabitants of *King-street*, *Queen-street*, *Cross-street*, and other Places, in the said recited Act particularly described, shall be, and the same is hereby declared to be repealed: And that, from and after the passing of this Act, the several Inhabitants of *King-street*, *Queen-street*, *Cross-street*, and other Places, in the said recited Act mentioned, shall and may (subject nevertheless to the optional Clause in the said recited Act contained) be yearly rated and assessed by the Commissioners appointed to put the said recited Act and this Act in Execution, for the Purpose of lighting and cleansing such particular Streets as aforesaid, in any Sum of Money not exceeding in the Whole, in any one Year, the Sum of Sixpence in the Pound, according to the full Value or yearly Rent of their respective Houses and Buildings, in consideration of the Statute or Highway Duty to be performed by them.

XVI. And be it further enacted, That in case it shall happen that any of the Houses, Shops, Warehouses, or other Tenements, Buildings, or Hereditaments, within the Limits described and mentioned in and by this and the said recited Act, shall, at the Time of making the said Rate or Assessment, be empty, untenanted, or unoccupied, that then, and in every such Case, any Person or Persons coming into such empty or unoccupied House or Building as aforesaid, shall and may be rated and assessed by the said Commissioners, in proportion to the Time such Person or Persons shall so occupy the same.

XVII. And be it further enacted, That the Charges and Expences of marking or numbering the several Houses or Buildings, in any of the *High-street*, Streets and Lanes, public Ways and Passages, within the Limits mentioned and described in and by this or the said recited Act, shall at all Times, upon Demand, be paid by the Tenant or Occupier of such House or Building, to the Person or Persons employed by the said Commissioners to mark or number such respective House, Shop, Warehouse, or other Building, under and subject to a Penalty of two Shillings for every Neglect or Refusal.

XVIII. And be it further enacted, That all Orders which have been or shall be made by the said Commissioners, and are or shall be entered in their Books, by virtue and under the Authority of the said recited Act, or this Act, may be altered, amended, reversed, annulled, or made void, at any subsequent Meeting of the said Commissioners; such Commissioners being more in Number than the Commissioners who made the Order so intended to be altered or amended, reversed, annulled, or made void, and provided that seven Days Notice at least be given to all the Commissioners, and entered in the Book of Proceedings of the Commissioners for the Time being, at some Meeting assembled, of the Day, Time, and Place, appointed for taking into Consideration the Orders so intended to be altered or amended, reversed, annulled, or made void.

XIX. And be it further enacted, That the said recited Act, as to all and every Clause, Provision, Matter, and Thing, therein contained (except where the same shall be altered by this Act) shall be extended and extend to this Act, and to the Rates and Assessments hereby authorized and directed to be made, laid, and assessed, and be deemed Part thereof, and shall operate, be in Force, and be observed, enforced, and performed, in respect to 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 present Act.

XX. Provided always, and be it further enacted, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies which shall be raised by virtue of the said former Act, or this present Act.

XXI. Provided always, and be it enacted, That nothing in this Act or in the said recited Act contained shall in any Manner lessen or affect the Jurisdiction or Rights of the Mayor and Citizens of the said City of *Rochester*, but the same shall be and remain in full Force, as if this Act, and the said recited Act, had not been made; and that all Matters and Things, arising within the Jurisdiction of the said Mayor and Citizens of the said City of *Rochester*, determinable before any Justice or Justices of the Peace, shall be referred to, and determined by, the Justice or Justices of the Peace of the said City of *Rochester*; and all Appeals from the Acts, Orders, or Directions, of the said Commissioners in this Act, or in the said recited

Act,

Rates to be consolidated, and vested in Commissioners. Commissioners empowered to inspect Poor-rates, appoint Collectors, &c.

Certain Inhabitants not exempted from Highway-duty, &c.

A Clause in the former Act repealed.

Inhabitants of certain Streets to pay 6d. in the Pound.

Untenanted Houses, how to be rated.

Charges of numbering Houses to be paid by the Tenant.

Orders entered may be varied, provided a greater Number of Commissioners than made the Order are consenting thereto.

Clauses and Provisions of former Act to extend to this Act.

Expences of this Act how to be paid.

The Acts not to affect the Jurisdiction of the City of Rochester.

Act, arising in the Jurisdiction of the said Mayor and Citizens of the said City of *Rochester*, shall be to the General or Quarter Sessions of the said City of *Rochester*, and shall be finally determined at such General or Quarter Sessions; any Thing in this Act, or in the said recited Act, contained to the contrary thereof in any-wise notwithstanding.

XXII. And be it further enacted, That this Act shall be taken and allowed in all Courts of Justice as a Public Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without the same being specially pleaded. Public Act.

C A P. LIX.

An Act for lighting and watching the Town of *Portsmouth*, in the County of *Southampton*; and for explaining and amending an Act, passed in the eighth Year of his present Majesty's Reign, for the better paving and cleansing the Streets and other public Passages in the said Town, and for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious.

C A P. LX.

An Act to amend and render more effectual an Act, made in the eighth Year of the Reign of his present Majesty, for opening certain Passages, and for paving the Streets, and other Places, in the Parish of *Saint Leonard, Shoreditch*, in the County of *Middlesex*, and for preventing Annoyances therein; and for extending the Powers of the said Act to such Part of a Lane, called *Hog-lane*, as lies within the Liberty of *Norton-Falgate*, in the said County.

WHEREAS by an Act of Parliament, made in the eighth Year of the Reign of his present Majesty, for opening certain Passages, and for paving the Streets and other Places in the Parish of *Saint Leonard, Shoreditch*, in the County of *Middlesex*, and for preventing Annoyances therein, Power was given to the Commissioners therein named, or their Successors, or any five or more of them, from Time to Time, to cause, order, and direct the Streets, called *Holywell-street, Church-end*, and Part of *Kingland-road*, and a Lane, called *Hog-lane*, and another Lane, called *Holywell-lane*, in the said Parish of *Saint Leonard, Shoreditch*, to be paved, repaired, raised, sunk, or altered, when and in such Manner as they should think fit: And whereas the Commissioners appointed by, or in pursuance of the said Act, have caused the greatest Part of the said Streets and Places to be paved, but find that the Money authorized to be borrowed by the said Act is insufficient to answer the several Purposes thereby intended: And whereas a small Part of the said Lane, called *Hog-lane*, being within the Liberty of *Norton-Falgate*, in the said County of *Middlesex*, and not within the said Parish of *Saint Leonard, Shoreditch*, Doubts have arisen whether the said Act impowers the said Commissioners to pave such Part of the said Lane as lies within the said Liberty of *Norton-Falgate*, for which Reason the said Lane has not yet been paved: And the said Act has, in several other Respects, been found ineffectual: May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Commissioners appointed by, or in pursuance of the said former Act, or any nine or more of them, to borrow and raise, by the granting of one or more Annuity or Annuities, any Sum or Sums of Money not exceeding four thousand Pounds, over and above the Sums authorized to be borrowed by the said former Act, which they the said Commissioners shall think necessary for the Purposes of the said former Act, and this Act.

Preamble.
Act 8 Geo. III.
c. 33. recited.

II. Provided always, That none of the said Annuities shall exceed the Rate of nine Pounds *per Annum* for every hundred Pounds; and that the Whole of the Annuities to be granted in pursuance of the said former Act; or this Act, shall not at any one Time exceed the Sum of one thousand two hundred and sixty Pounds.

Commissioners
impowered to
borrow the fur-
ther Sum of
4000 l.

Proviso.

III. And be it further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any nine or more of them, or into the Hands of any Person by them appointed to receive the same, for the Purposes in the said former Act and this Act mentioned, any Sum or Sums of Money (not exceeding the said Sum of four thousand Pounds) for the absolute Purchase of one or more Annuity or Annuities, to be paid and payable during the Term of the natural Life of such Contributor or Purchaser respectively, or the natural Life of such other Person or Persons as shall be nominated by, or on the Behalf of, such Contributor or Purchaser respectively, at the Time of Payment of his, her, or their respective Contribution-money: And every such Contributor or Purchaser shall have the same Security, Powers, and Authorities, for the Annuity or Annuities to be purchased in pursuance of this Act, as are given or granted to the Purchaser or Purchasers of any Annuity or Annuities by the said former Act.

Annuities may
be purchased of
Commissioners.

IV. And be it further enacted, That all the Monies to be raised as aforesaid shall be, and the same are hereby vested in the said Commissioners, for the Purposes of the said former Act and this Act.

Purchase-mo-
nies vested in
the Commis-
sioners.

V. And be it further enacted, That the Whole of the said Lane, called *Hog-lane*, shall, and the same is hereby declared to be under the Direction of the Commissioners appointed by, or in pursuance of the said former Act, for the Purposes in the said former Act and this Act mentioned: And the said Commissioners, or any five or more of them, shall, and they are hereby authorized and impowered, from Time to Time, to cause, order, and direct the Whole of the said Lane, as well that Part thereof which lies within the said Liberty of *Norton-Falgate*, as that Part which lies within the said Parish of *Saint Leonard, Shoreditch*, to be paved, repaired, raised, sunk, or altered, when and in such Manner as they shall think fit; and

The Whole of
Hog-lane put
under the Power
of the Commis-
sioners.

and the said Commissioners shall be and are hereby invested with the same Powers and Authorities for assessing, collecting, and levying Money for those Purposes, as if the Whole of the said Lane had been comprised in the said former Act.

Penalty on obstructing Passages.

VI. And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, set, fix, place, or lay, or cause or procure to be set, fixed, placed, or laid, any Casks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, Wood, Scaffolding, or any other Material or Thing whatsoever, (unless the same shall be inclosed within some Board, to be erected in Manner and under such Regulations as are prescribed by the said former Act) and shall not remove the same within the Space of two Hours next after Notice in Writing given by any of the Commissioners, or by any Person duly authorized by them, every Person so offending shall, for every such Offence, forfeit and pay the Sum of five Shillings; and any one of the said Commissioners, or any Person or Persons to be appointed by them for that Purpose, may seize, or cause to be seized, such Casks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, Wood, Materials, or other Things, and take or remove, or cause the same to be taken and removed, to the Pound, or other proper Place, within the said Parish, there to be kept and detained until the Owner or Owners thereof, his, her, or their Servant or Servants, shall and do pay, to the Person in whose Custody the same shall be, the said Sum of five Shillings, together with the Costs and Charges of removing and keeping the Materials or Things so removed: And in case the said Penalty and Charges shall not be paid within the Space of five Days next after such Seizure, then it shall and may be lawful to and for the said Commissioners, or any five or more of them, or any Person or Persons authorized by them as aforesaid, to cause the same to be appraised and sold, and the Money arising from such Sale shall be applied for the Purposes in the said former Act and this Act mentioned.

Commissioners may impound Obstructions.

VII. And be it further enacted, That if any Person or Persons shall, from and after the passing of this Act, give Leave or Licence to any Person or Persons to set or expose to Sale any Goods, Fish, Fruit, or other Thing, upon the Pavements of any of the Streets or Places in the said former Act or this Act mentioned, or any Part thereof, adjoining or near to his, her, or their Dwelling-house or Building; every such Person shall, for every such Offence, forfeit and pay the Sum of twenty Shillings.

Penalty on exposing Goods to Sale in the Streets,

and on driving Carriages on the Foot-way.

VIII. And be it further enacted, That if any Person or Persons shall run, drive, or draw, or cause to be run, driven, or drawn, upon any Part of the Foot-pavements within the Limits of the said former Act, or this Act, any Wheel or Wheels, Sledge or Wheelbarrow, or any Coach, Waggon, Cart, or other Carriage whatsoever; or shall wilfully ride, lead, or drive any Horse, Ass, or other Cattle, or Beast; upon any Part of the said Foot-pavements; or shall throw or cast any Dirt, Dung, Ashes, or Rubbish, into or upon any of the Carriage or Foot Ways; or shall stand with any Wheelbarrow, or erect, fix, or bring any Stall in or upon the Pavements aforesaid; then, and in every such Case, and as often as they or any of them shall happen, it shall and may be lawful for any Person or Persons whomsoever to seize and convey the Person or Persons so offending before some Justice of the Peace for the said County of *Middlesex*, who shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced to give Information touching such Offence; and if the Party or Parties shall be convicted of such Offence, either upon such Information as aforesaid, or upon his, her, or their own Confession, he, she, or they so convicted respectively, shall forfeit and pay the Sum of five Shillings; and in case such Offender or Offenders shall not, upon such Conviction, immediately pay such Penalty, the said Justice is hereby authorized and required, by Warrant under his Hand and Seal, according to the Form or Effect mentioned in the Schedule hereunto annexed, to commit him, her, or them, to the House of Correction, or other Gaol for the said County, for any Time not exceeding fourteen Days, unless such Penalty, and the reasonable Charges occasioned thereby, shall be sooner paid and satisfied.

Penalty for Second and subsequent Offences.

IX. And be it further enacted, That if any Nuisance, Obstruction, or Annoyance, mentioned in the said former Act or this present Act, shall, after the same hath been removed, be replaced; the Person or Persons so replacing, or causing the same to be replaced, being thereof convicted, shall forfeit and pay the Sum of ten Shillings, and the like Sum of ten Shillings for every subsequent Offence.

Commissioners may regulate Stands of Hackney Coaches.

X. And whereas Hackney Coachmen frequently take their Stands with Coaches in such Places as to occasion considerable Obstructions both in the Carriage and Foot Ways; be it therefore enacted, That, from and after the passing of this Act, the said Commissioners, or any five or more of them, may direct and regulate such Stands as they shall in their Discretion think proper within the Places mentioned in the said former Act, and this present Act: And if any Hackney Coachman shall not comply with such Regulation, he or they shall forfeit the Sum of twenty Shillings for every Offence.

Convictions to be drawn according to the Form in the Schedule.

XI. And for the more easy and speedy Conviction of Offenders against the said former Act, and this Act, be it enacted by the Authority aforesaid, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against the said former Act, or this Act, shall and may cause the Conviction to be drawn up in the Form mentioned in the Schedule hereunto annexed, or in any other Words to the same Effect.

Persons contributory to the Rates may give Evidence or act as Justices.

XII. And be it further enacted by the Authority aforesaid, That any Person or Persons whatsoever, although he, she, or they be contributory to the Rates mentioned in the said former or this present Act, shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, or otherwise, in, about, touching, or concerning the said former Act, or this present Act, or the Matters or Things therein or herein contained, be and be deemed a competent Witness; and that any Justice of the Peace for the County of *Middlesex*, may act in the Execution of the said former and this present Act, notwithstanding he shall pay, or be contributory to the Rates aforesaid; any Law, Statute, or Usage to the contrary notwithstanding.

Penalties and Forfeitures how to be recovered.

XIII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by the said former Act or this present Act imposed, shall or may be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of one Justice of the Peace for the

the County of *Middlesex*, according to the Form or Effect in the said Schedule mentioned (which Warrant such Justice is hereby impowered and required to grant); and in case sufficient Distress shall not be found, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, according to the Form or Effect in the said Schedule mentioned, to cause such Offender or Offenders to be committed to the common or other Gaol, or House of Correction for the said County, there to remain, without Bail or Mainprize, for any Time not exceeding fourteen Days, unless such Penalties or Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

XIV. And be it further enacted, That when and so often as any Distress shall be made by the Authority of the said former Act, or this present Act, it shall and may be lawful to and for the Person or Persons making such Distress, to raise and levy the reasonable Charges of taking and keeping such Distress and of the Sale thereof.

Charges of taking, &c. Distress to be levied.

XV. And be it further enacted, That the Charges of passing this Act, and other Charges incident thereto, shall be defrayed out of any Monies remaining in or coming to the Hands of the Treasurer to the said Commissioners, or out of the first Money that shall be raised or received by virtue of, or under the said former Act, or this present Act.

Expences of passing this Act how to be paid.

XVI. And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Justice as a Public Act; and all Judges, Justices, and other Persons whomsoever, are hereby required to take Notice thereof as such, without the same being specially pleaded.

Public Act.

The SCHEDULE referred to, containing the Form of Proceedings.

Form of Conviction.

Middlesex, } BE it remembered, That on this Day of in the Year of the Reign
to wit. } of King George the Third is convicted before me one of his
Majesty's Justices of the Peace for the County of *Middlesex*, of (specifying the Offence) con-
trary to an Act of Parliament made in the Year of the Reign of King George the Third,
for, &c. (specifying the Title of the Act.)
Given under my Hand and Seal, the Day and Year above written.'

WARRANT of DISTRESS.

To all Constables and Headboroughs for the County of *Middlesex*.

Middlesex, } WHEREAS hath been duly convicted before me
to wit. } one of his Majesty's Justices of the Peace for the said County of *Middlesex*, in the Sum
of for (specifying the Offence) contrary to the Statute made in the
Year of the Reign of King George the Third, for (specifying the Title of the Act) which
Sum of he now refuses to pay [or, as the Case may be, he hath neglected to pay, as
appears to me upon Oath]. These are therefore, in his Majesty's Name, to will and require you, or
either of you, forthwith to levy the said Sum of by Distress and Sale of the Goods
and Chattels of the said (such Goods and Chattels being kept by the Space of five
Days before the same are sold) rendering to him the Overplus (if any be) the reasonable Charges of such
Distress, Sale, and Keeping, being first deducted: And if no sufficient Distress can be had, or taken,
that then you certify the same to me, to the End such further Proceedings may be had therein, as to
Law doth appertain.
Given under my Hand and Seal, the Day of in the Year of our Lord

WARRANT for Want of Distress of Goods, or where the Party refuses or neglects to pay the Penalty.

To all Constables and Headboroughs for the County of *Middlesex*.

Middlesex, } WHEREAS hath been duly convicted before me
to wit. } one of his Majesty's Justices of the Peace for the said County of *Middlesex*, in the Sum
of for [specifying the Offence] contrary to the Statute made in the
Year of the Reign of King George the Third, for [specifying the Title of the Act] which Sum of
the said now in my Presence, refuses to pay [or, as the Case may be, hath
neglected to pay, as appears to me on the Oath of] (If after a Distress Warrant issued
and returned, then add) And no sufficient Distress can be found whereon to levy the said Sum, as appears
to me on the Oath of) These are therefore, in his Majesty's Name, to will and require you,
and every of you, to apprehend the said and him safely to convey and deliver to the Keeper of New-
gate, or the Keeper of [as the Justice shall think proper] or his Deputy, together with this Warrant:
And I do hereby require you the said Keeper, and Deputy Keeper, to receive the said
into your said Gaol, and safely keep without Bail or Mainprize, for
unless the said Sum of and all reasonable Charges, shall be sooner paid and satisfied.
Given under my Hand and Seal, the Day of in the Year of our Lord

C A P. LXI.

An Act for erecting a Lighthouse or Lighthouses and Landmarks in or near the Port of *Chester*, and for placing Buoy upon the Banks and Shoals leading into and in the said Port; and for regulating of Pilots and Persons towing or tracking of Vessels to and from the City of *Chester*; and for fixing the Rates payable for the same respectively.

Preamble.

WHEREAS a considerable Trade is carried on from the Port of *Chester* to foreign Parts, and coastways; and a Number of Vessels, as well as his Majesty's Yacht, are frequently employed in conveying Passengers between *Great Britain* and *Ireland*: And whereas the Navigation of the said Port from the City of *Chester* to the Sea hath been much improved at a great Expence; notwithstanding which, in dark and tempestuous Nights, the same is still very difficult, precarious, and uncertain, and the Lives and Properties of many of his Majesty's Subjects have been lost: And whereas, if proper Lighthouses and Landmarks were erected at convenient Places within or near the said Port, and Buoy placed upon the Banks and Shoals leading into and in the said Port, and other Improvements made therein, the Navigation of the said Port would be rendered more safe, commodious, and certain, for all trading Ships and Vessels, and also for his Majesty's Ships of War: And whereas, by virtue of an Act of Parliament, made in the eighth Year of the Reign of our late Sovereign Queen *Elizabeth*. (intituled, *An Act concerning Sea-marks, and Mariners*) the Master, Wardens, and Assistants, of the *Trinity-house* of *Deptford Strond*, in the County of *Kent*, are impowered to erect and set up such and so many Beacons, Marks and Signs, for the Sea, in such Places of the Sea-shore Uplands near the Sea-coasts, or Forelands of the Sea, only for Sea-marks, as to them shall seem meet; and by Letters Patent under the Great Seal of *Great Britain*, bearing Date the eleventh Day of *June*, in the thirty-sixth Year of the Reign of the said late Queen, the Office of Beaconage and Buoyage, and the sole Right and Power of making, setting up, placing, continuing, renewing, and maintaining, of all Beacons, Buoy, Marks, and Signs, for the Sea, and all Fees, Profits, Advantages, Emoluments, Rights, and Appurtenances, due, payable, appertaining, or belonging thereto, or for or in respect thereof, are vested in them; and the said Corporation have consented that the Lighthouses, Buoy, Marks, and Signs for the Sea, herein after authorized to be erected and placed, shall and may be erected, placed, and maintained, according to the Directions of this 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, from and after the passing of this Act, the Mayor, Recorder, and Aldermen, of the City of *Chester*, for the Time being, the Commander of his Majesty's Yacht for the Time being, the Pilot of his Majesty's Yacht for the Time being, the Collector and Surveyor of the Port of *Chester* for the Time being, and also every other Person for the Time being resident in the City of *Chester*, or in the County of *Chester* or *Flint*, who shall, in his own Right, or in the Right of his Wife, be seized of a real Estate of the annual Value of one hundred Pounds, or possessed of a personal Estate to the Amount or Value of two thousand Pounds, shall be, and are hereby constituted and appointed Trustees for putting in Execution all and every the Trusts, Powers, and Authorities, given and granted in and by this Act; and that no Person or Persons, not being qualified as aforesaid, shall be capable of acting as a Trustee in the Execution of this Act.

Act 8 Eliz. recited.

Trustees appointed.

Trustees to be sworn as to their Qualifications.

II. Provided, That no Person or Persons (except the said Mayor, Recorder, and Aldermen of the City of *Chester* for the Time being, the Commander of his Majesty's Yacht for the Time being, the Pilot of his Majesty's Yacht for the Time being, or the Collector or Surveyor of the Port of *Chester* for the Time being) shall act as a Trustee or Trustees under this Act in any Case (except in administering the Oath to any other of the said Trustees) until he or they shall have first taken and subscribed the following Oath, before any three or more of the said Trustees, who are hereby authorized and impowered to administer the same to any other of the said Trustees; to wit,

The Oath.

I *A. B.* do swear, That I truly and *bona fide* am, in my own Right, or in the Right of my Wife, seized of a real Estate of the annual Value of one hundred Pounds, or possessed of a personal Estate to the Amount or Value of two thousand Pounds.
So help me GOD.

Penalty on Persons acting not being duly qualified.

And if any Person hereby deemed unqualified or incapable to act, shall nevertheless presume to act contrary to the true Intent and Meaning hereof, every such Person shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Suit, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparance, shall be allowed; and such Person acting as a Trustee, so sued or prosecuted in respect of his Qualification, shall prove, upon the Trial of the Suit or Cause, that he is duly qualified as herein before is directed, or otherwise shall pay the said Sum of one hundred Pounds, without any other Proof or Evidence on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act.

First General Meeting of Trustees.

III. And be it enacted by the Authority aforesaid, That the first General Meeting of the Trustees for putting this Act into Execution shall be held at the Town-hall in the City of *Chester*, within two Months next after the passing of this Act; and that a Notice, signed by three of the said Trustees, signifying the
Day

Day and Hour of such Meeting, shall be inserted in the *Chester* Newspaper at least ten Days before such Meeting; and that four General Meetings shall be held every Year for the future upon the Days following; (that is to say) Upon the first *Tuesday* in *January*, the first *Tuesday* in *April*, the first *Tuesday* in *July*, and the first *Tuesday* in *October*, at the Hour of Eleven of the Clock in the Forenoon, at such Place within the said City of *Chester* (and not elsewhere), as the said Trustees, or any five of them, at each preceding Meeting shall appoint; and the said Trustees shall have power to adjourn such Quarterly Meetings from Time to Time, and to such other Time and Place as Occasion shall require; and that any five of the said Trustees, attending at any of those Adjournments, shall be considered as a Committee, and are hereby impowered to act and transact Business in all Cases for any of the Purposes in this Act mentioned, except such particular Business, Matters and Things, as are herein after mentioned and described to be transacted at the General Quarterly Meetings: And if at any Meeting appointed to be held by virtue of this Act there shall not be present a sufficient Number of Trustees to act or to adjourn to another Day, the Trustee or Trustees then present, or the Clerk to the said Trustees for the Time being, shall from Time to Time, as often as such Case shall so happen, by giving ten Days previous Notice in Writing, to be inserted in the *Chester* Newspapers, or fixed upon the most public Place of the Custom-house and Exchange in *Chester*, appoint another Meeting to be held at the Place where the last Meeting was appointed to be held; and that such Meeting so appointed shall be considered as an Adjournment; and all Orders and Determinations of the said Trustees in the Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, and not otherwise; and that no Order or Determination shall be made, unless the Majority of the Trustees present at a Meeting shall concur therein, such Majority not being less than the Number of Trustees by this Act authorised to make any such Order or Determination; and that every Meeting of the Trustees by virtue of this Act shall be public; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

IV. Provided always, and be it further enacted, That no Person shall act as a Trustee in any Case in the Execution of this Act (except in administering the Oath to any other of the said Trustees) until he shall have taken and subscribed the Oath following before any three or more of the said Trustees, who are hereby authorised and impowered to administer the same to any other of the said Trustees; to wit,

‘ I *A. B.* do swear, That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the Powers and Authorities vested in me by virtue of an Act made in the sixteenth Year of the Reign of King *George* the Third, for erecting a Lighthouse or Lighthouses and Landmarks in or near the Port of *Chester*, and for placing Buoys upon the Banks and Shoals leading into and in the said Port; and for regulating of Pilots and Persons towing or tracking of Vessels to and from the City of *Chester*; and for fixing the Rates payable for the same respectively.’

V. Provided always, That such of the said Trustees who are or shall be in the Commission of the Peace for the said County of *Chester*, or for the County of *Flint*, and also the Mayor and Justices of the Peace for the said City of *Chester* and County of the same City, shall and may, and they are hereby respectively impowered to act as Justices of the Peace in the Execution of this Act within their respective Jurisdictions, notwithstanding their being Trustees (except only in such Cases where they shall be personally interested); but no Trustee shall be capable of acting in the Execution of any of the Powers hereby granted during the Time he shall hold any Place of Profit under this Act, any Thing herein before contained to the contrary hereof notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That it shall be lawful to and for the said Trustees, or any five or more of them, or any Person or Persons by them in that Behalf authorised, to contract and agree with the Owner or Proprietor of such Pieces or Parcels of Land or Ground as shall be wanted for the Purposes of this Act, for the absolute Purchase of their Estates and Interests therein, and also to accept and take one or more good Conveyance or Conveyances and Assurances in Law thereof in Fee-simple, at such Price and Consideration as shall be agreed upon between the contracting Parties: And in case the Owners or Proprietors of such Lands or Grounds, or any of them, shall refuse to contract and agree with the said Trustees, or the Person or Persons so to be by them appointed for that Purpose, or through any Disability, Nonage, Coverture, or other Impediment, shall not be qualified or enabled to contract or agree, or to execute or perform such Contract or Agreement, or to carry the same into Execution, that then, and in every such Case, the said Trustees, or any five or more of them, are hereby impowered and required, from Time to Time, to issue out their Warrant or Warrants under their Hands and Seals, directed to the Sheriff of the County of *Flint*, or to the Sheriff of the County Palatine of *Chester*, or to the Sheriffs of the City of *Chester*, in which the Lands so wanted may happen to be situate; and in case such Sheriff or Sheriffs, or his or their Under-sheriff or Under-sheriffs respectively, shall be interested in the Matter in question, then to the Coroner or Coroners within the said respective Counties of *Chester* and *Flint*, or the City of *Chester*, not interested as aforesaid, requiring such Sheriff or Sheriffs, or Coroner or Coroners respectively, as the Case may require, to summon and return a Jury; and such Sheriff or Sheriffs, or Coroner or Coroners, is and are hereby severally authorised and impowered to summon a Jury, out of their respective Counties or City, each Jury consisting of twelve able and sufficient Men (qualified by Law to be returned and to serve on Juries for Trials of Issues to be joined in his Majesty's Court of Great Session for the County of *Flint*, or in the Court of Session for the County Palatine of *Chester*, or in the Court of the Mayor or of the Sheriffs for the City of *Chester*) to appear before the said Trustees, or any five or more of them, at such Time and Place as by such Warrant shall be appointed, such Place to be in the Township in the County, or in the Ward within the said City (as the Case shall require) which shall be next adjacent to the Land wanted; and, for Want of a proper Number of Jurymen appearing, such Sheriff or Sheriffs, or his or their Deputy, or Coroner or Coroners, shall

General Meetings to be held quarterly.

Five Trustees impowered to act.

How to proceed if a sufficient Number of Trustees do not attend.

Trustees not to act till they have taken the following

Oath.

Trustees may act as Justices;

but not to hold any Place of Profit.

Trustees impowered to purchase Lands for Lighthouses, &c.

If Parties cannot agree, &c.

a Jury to be summoned.

Jurymen may be challenged. Trustees impowered to enter upon and survey Lands, &c.

Trustees to give Judgment for such Sums as Jury shall award.

Verdict of Jury, &c. to be binding on all Parties.

Sheriffs or Coroners, for Neglect of Duty, to forfeit, for each Offence, 50l. and Jurymen or Witnesses, 5l.

Persons giving false Evidence to be punished.

Determinations of Trustees to be entered in a Book, and deemed good Evidence.

Upon Payment or Tender of the Sum assessed, Lands to be vested in Trustees.

return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend the Service, being of the County or City wherein the Lands in question shall be situate, and qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties shall and may have their lawful Challenges against any of the said Jurymen: And the said Trustees, or any five or more of them, are hereby authorised and impowered to enter upon any Lands or Grounds that may be so wanted, to survey, mark, and set out the same, and to order the said Jury to view such Place or Places in question as shall be thought requisite, and to administer the Oaths to them and to such Person and Persons as shall be called upon to give Evidence before them; and the said Jury so impanelled and sworn shall enquire into the Value of the Lands and Premises in question, and award and assess such Damages and Recompence as they shall think fit to the Owner or Owners and Occupiers of such Grounds so to be taken, used, applied, or appropriated, for the Uses and Purposes of this Act, for the Purchase of their respective Estates and Interests therein; and the said Trustees, or such five or more of them as aforesaid, shall give Judgment for such Sum or Sums so to be assessed or awarded by such Jury, and shall by Examination upon Oath as aforesaid, and by all other lawful Ways and Means, hear and finally determine all Manner of Disputes and Controversies which shall happen or arise between any Person or Persons whomsoever, touching any Matter or Thing relative to the said Premises, or any Part thereof; which said Verdict, and the Judgment, Decree, or Determination thereupon, declared or pronounced by the said Trustees, or such five or more of them as aforesaid, and the Value and Recompence so to be assessed, shall be binding and conclusive upon all Infants, Females-covert, and all and every other Person or Persons whomsoever, as also on all and every Bodies Politick and Corporate, and against his, her, or their Heirs, Executors, Administrators, Successors, or Assigns, and all others claiming any Title or Interest in the said Ground and Premises; so as Notice in Writing of the Time and Place of such Meeting of the Jury and Juries be given by any five or more of the said Trustees, or by any other Person under their Direction or Authority, at least fourteen Days before every such Meeting, to every Person interested in the Premises, or left in Writing at the Dwelling-house of such Party interested, or at his, her, or their usual Place of Abode, or with some Tenant or Occupier of such Ground, Lands, and Premises, in case such Owner thereof cannot conveniently be found to be served with such Notice.

VII. And be it further enacted, That if any such Sheriff or Sheriffs, Deputies, or Coroner or Coroners, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds, to be recovered in like Manner as the said Penalty on Persons acting as Trustees not qualified is herein before directed to be recovered: And if any Person or Persons, summoned to give Evidence by virtue of this Act, shall neglect or refuse to appear at such Time or Times, Place or Places, as shall be appointed in a Precept or Summons signed by any two or more of the said Trustees, or by Warrant or Warrants signed by one or more such Justice or Justices of the Peace, or appearing, shall refuse to be sworn by, or give Evidence before, the said Trustees, or such five or more of them as aforesaid, or any one or more such Justice or Justices of the Peace; or if any Person summoned as a Jurymen, as aforesaid, shall refuse or neglect to appear, or after his Appearance shall refuse to be sworn, or being sworn shall refuse to give or shall not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premises, contrary to the true Intent and Meaning of this Act, every Person so offending in any of the Cases aforesaid (having no reasonable Excuse, to be allowed by the said Trustees, or any five or more of them) shall, for every such Offence, forfeit and pay the Sum of five Pounds.

VIII. And it is further enacted by the Authority aforesaid, That all and every Person and Persons, who, in any Examination directed to be taken by virtue of this Act, shall give false Evidence before the Mayor of the said City or his Deputy, or before any Justice or Justices of the Peace, or any Jury to be impanelled and returned as aforesaid, shall and may be prosecuted for the same; and upon Conviction shall be subject and liable to such and the like Punishments as Persons convicted of wilful and corrupt Perjury are by Law subject and liable to.

IX. And be it further enacted by the Authority aforesaid, That all Sentences, Decrees, Judgments, and Determinations, so to be made by the said Trustees, or any five or more of them, shall be entered in a Book to be kept for that Purpose, under the Hands and Seals of such of the said Trustees as shall so make the same; and the same, or true Copies thereof, or any Part thereof, shall be taken, adjudged, and deemed good and sufficient Evidence in any Court of Law or Equity; and all Persons shall and may have Recourse to the same, paying for every Inspection the Sum of one Shilling, and no more, and may also take Copies thereof, or of any Part thereof, paying for such Copies after the Rate of Sixpence for every two hundred Words: And that upon Payment of any such Sum or Sums of Money so agreed on or assessed to the Parties concerned, or Tender thereof made at his, her, or their Dwelling-house, or if he, she, or they, have no such Dwelling-house, then at the House of some Tenant or Occupier of some Part of the Ground and Premises for which such Sum or Sums of Money shall be payable; or if, upon such Tender as aforesaid, he, she, or they, shall refuse or neglect to receive the same, then, upon Payment of such Sum or Sums into the Hands of such Person or Persons as the said Trustees, or any five or more of them, shall appoint, for the Use of the Parties interested as aforesaid, such Lands, Grounds, or Hereditaments, and the Fee-simple and Inheritance thereof respectively, shall from thenceforth be vested in and become the absolute Property of the said Trustees, to and for the Uses and Purposes of this Act; and then, and not before, it shall and may be lawful to and for the said Trustees, their Agents, Servants, and Workmen, immediately to enter upon the said Lands, Grounds, and Premises, and to erect, build, and place, such Light-house or Lighthouses, Buildings, Landmarks, and other necessary Works as are herein after mentioned, and shall be thought needful for carrying into Execution and completing the Purposes of this Act, as they the said Trustees, or any five or more of them, shall judge expedient and requisite for rendering the Navigation into, in, and out of the said Port of *Chester*, less dangerous, and more certain, safe, and commodious; and also to make, or cause to be made, necessary Roads to such

Lighthouse

Lighthouse or Lighthouses, Buildings, Landmarks, and other Works, paying all reasonable Damages for cutting such Roads, to be ascertained in Manner aforesaid; and that this Act shall be sufficient and effectual to indemnify as well the said Trustees, and their Executors and Administrators, as also their Agents, Workmen, and Nominees, and all Persons employed and authorized as aforesaid, against the Owners and Occupiers of such Land, Ground, and Premises, their respective Heirs, Executors, Administrators, and all Persons claiming under them, or any of them.

Trustees, &c. indemnified.

X. And be it further enacted by the Authority aforesaid, That in all Cases when a Verdict shall be given or made for more Monies as a Recompence and Satisfaction for any Lands or Grounds, or for any Damage to be done to any Lands or Grounds or Property of any Person or Persons whatsoever, than shall have been previously offered by and on Behalf of the said Trustees, or if no such Recompence or Satisfaction shall have been offered or tendered in respect of Damages by and on Behalf of the said Trustees, then all the Expences of summoning such Jury, and taking such Inquest, shall be settled by any two or more Justices of the Peace for the County of the City of *Chester*, or for the Borough of *Liverpool*, or for either of the Counties of *Chester* and *Flint* (such Justices not being Trustees under this Act) and shall be defrayed by the said Trustees out of the Monies to be raised by virtue of this Act; and if any Verdict or Assessment shall be given for no greater or for a less Sum than had been previously offered by or on Behalf of the said Trustees, then and in such Case the Expences of summoning such Jury, and taking such Inquest, shall be settled as aforesaid, and shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute.

Expences of Jury by whom to be borne.

XI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorized and impowered to erect, or cause to be erected, one or more Lighthouse or Lighthouses, with necessary Buildings to the same, upon a certain Piece of Land or Ground called *The Point of Air*, or in or near the Township of *Prestatyn*, both lying in the County of *Flint*, so as the same be distinguishable Lights from those already erected by the Mayor and Corporation of *Liverpool*, and to survey, mark, and set out, proper Roads and Ways to the same.

Power to erect a Lighthouse, &c. on the Point of Air, or at or near Prestatyn.

XII. And be it further enacted by the Authority aforesaid, That, when and as soon as such Lighthouse or Lighthouses shall be erected as aforesaid, the said Trustees, or any five or more of them, shall from Time to Time keep and maintain the same, and all the Buildings and Premises thereunto belonging, in good and sufficient Repair; and shall keep and maintain one constant bright and sufficient Fire or other Light in or upon such Lighthouse or Lighthouses every Night from the Time of Sun-setting in the Evening to the Time of Sun-rising every succeeding Morning.

A Fire, &c. to be kept in the Lighthouse from Sun-set to Sunrise.

XIII. And be it further enacted by the Authority aforesaid, That, from and after the Time that such Lighthouse or Lighthouses shall be so erected, and proper Light or Lights put or placed in or upon the same, it shall and may be lawful to and for the said Trustees, or any five or more of them, or such Person or Persons as they, or any five or more of them, shall appoint in that Behalf, to demand, collect, receive, and take, of and from all and every the Masters, Owners, and other Persons, taking charge of every Ship or other Vessel, liable to the Payment of the Duties herein after granted, once in every Voyage, the several Rates, Tonnage, or Duties, herein after mentioned; that is to say,

Duties to be paid to the Trustees.

For every such Ship or Vessel navigating, sailing, or passing, over *Chester-bar*, or between the South-west Part of *Hoyle Sands*, and the main Land on the Coast of *Wales*, to or from the Port of *Chester* or *Liverpool* and *Saint David's Head* or *Carlisle*, or navigating, sailing, or passing, over *Chester-bar*, or between the South-west Part of *Hoyle Sands* and the main Land on the Coast of *Wales*, to or from any other Port or Place between *Chester* or *Liverpool* and *Saint David's Head* or *Carlisle*, the Sum of One Halfpenny per Ton:—And for every Ship or Vessel navigating, sailing, or passing, over *Chester-bar*, or between the South-west Part of *Hoyle Sands* and the main Land on the Coast of *Wales*, to or from the said Ports of *Chester* or *Liverpool*, and any other Port or Place in *Great Britain* or *Ireland*, or adjacent Islands not herein before named, the Sum of One Penny per Ton:—And for every such Ship or other Vessel navigating, sailing, or passing, over *Chester-bar*, or between the South-west Part of *Hoyle Sands* and the main Land on the Coast of *Wales*, to or from the said Ports of *Chester* or *Liverpool*, and any other Port or Place not being within the Kingdom of *Great Britain* or *Ireland*, or the adjacent Islands, the Sum of Two-pence per Ton; according as such Ship or Vessel shall measure, by taking the Length of the Keel of every Ship or Vessel so much as she treads on the Ground; and the Breadth to be taken within-board by the Midship-beam from Plank to Plank, and Half the Breadth shall be accounted for the Depth of every such Ship or Vessel; then the Length being multiplied by the Breadth, and the Product thereof by the Depth, and the Whole being divided by ninety-four, the Quotient shall give the true Contents of the Tonnage; according to which Method and Rule all Ships and Vessels shall be measured, and the said several Rates, Tonnage, or Duties, be thereby computed and collected accordingly; any Custom, Practice, or Usage, to the contrary notwithstanding.

Rule for measuring Vessels.

XIV. And be it further enacted and declared, That the said Duties, so to be levied by this Act, shall be paid respectively at the Custom-house in the City of *Chester*, or at the Custom-house at *Parkgate* in the County of *Chester*, or at the Custom-house of *Liverpool* in the County of *Lancaster*, or at such other Place or Places within the said Port of *Chester*, as the Trustees, or any five or more of them assembled as aforesaid, shall appoint, according as such Ship or Vessel shall arrive at, or sail from, or land or discharge her Goods wholly or in part at, any of those Places, to such Person or Persons as the said Trustees, or any five or more of them, shall nominate and appoint as their Receiver for collecting of the said Duties: And that if any Master or other Person taking Charge of any Ship or Vessel liable to pay the said Duties, shall refuse or neglect to pay the same, alledging or pretending he did not, at the Time for which the said Duties

Where the Duties are to be paid.

How to proceed when Masters of Vessels refuse to pay the Duties.

ties were then demanded, sail or pass over *Chester-bar*, or between the South-west Part of *Hoyle Sands* and the main Land on the Coast of *Wales*; then, and in such Case, it shall and may be lawful for any Collector or Receiver of the said Duties to examine upon Oath (or Affirmation, as the Case may happen) such Master, or other Person taking Charge of such Vessel, to the Truth thereof; and if such Master or other Person shall refuse to answer upon Oath or Affirmation, whether he did or did not, at the Time for which the said Duties were then demanded, sail or pass over *Chester-bar*, or between the Southwest Part of *Hoyle Sands* and the main Land on the Coast of *Wales*; then every such Master or other Person shall be subject and liable to the Payment of the said Duties; the same to be recovered in such Manner as herein after directed.

Trustees im-
powered to lessen
the Duties,
with Consent of
Mortgagees, &c.

XV. Provided always, and it is hereby further enacted and declared, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any Time or Times, upon examining and inspecting the Accounts to be kept of or concerning the Lighthouses and Landmarks and other Works to be made, erected, and maintained, by virtue and in pursuance of this Act, to lessen, lower, diminish, or reduce, the Duties granted and made payable as aforesaid, or any of them, so as the same be done without Prejudice to, and with the Consent of, the Mortgagee or Mortgagees thereof; and also to advance and raise again the said Duties, or any of them, so to be lessened or reduced, in such Manner as to them from Time to Time shall seem meet, requisite, and expedient, so as such Duties, when so raised again and advanced, do not exceed the Duties herein before granted and made payable, and directed to be collected and levied as aforesaid; any Thing herein contained to the contrary notwithstanding.

Exemptions
from the Duties,

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to charge or make chargeable any of the Ships or Vessels belonging to his Majesty, his Heirs or Successors, or any Ship, Vessel, or Wherry, employed in the Service of his Majesty's Revenue, nor to charge any open Boat or Sloop, under the Burden of forty Tons, laden only with Lime-stones, Pebble-stones for Pavements, Dung or Manure, nor to charge any Sloop or Boat used and employed only in the Service of piloting Vessels, nor to charge any Ship or Vessel belonging to or bound to or from the Port of *Liverpool*, unless such Ship or Vessel shall pass or sail over *Chester-bar*, or between the South-west Part of *Hoyle Sands* and the main Land on the Coast of *Wales*, in which Case they are to be chargeable with and pay the said Duties herein before granted.

Trustees may
appoint Officers,

XVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any of their General Quarterly Meetings, or at any Special Meeting to be appointed for that Purpose, to choose and appoint, by Writing under their Hands, a Treasurer and Clerk, and also one or more Collector or Collectors for receiving and levying the Duties mentioned in this Act, and such other Officer or Officers as they shall judge necessary to be employed under them for carrying this Act into Execution; and also to settle the Fees and Salaries of such Treasurers, Clerks, Collectors, or other Officers, in such Manner as the said Trustees, or any thirteen or more of them, at such their Meetings as aforesaid, shall judge necessary and reasonable, and from Time to Time to remove and displace such Treasurers, Collectors, or other Officers, and appoint others in their Places; and no such Treasurer, Clerk, or other Officer, shall be appointed or removed, but at some General Quarterly Meeting, or at some Special Meeting, as aforesaid, and unless thirteen of the said Trustees shall be present; and unless a Notice, signed by the Treasurer or Clerk to the said Trustees, or his Name put at the Foot thereof, signifying the Time, Place, and Purpose, of such Meeting, be given in the *Chester* Newspaper at least fourteen Days previous to such Meeting; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

and allow them
Salaries.

Trustees may
borrow 3000l.

XVIII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any nine or more of them, at any of their General Quarterly Meetings, shall and may, and they are hereby authorized and empowered, from Time to Time, to borrow or take up, at legal or less Interest, such Sum or Sums of Money as they shall think fit, not exceeding three thousand Pounds, as well on the Credit of the said Lighthouse or Lighthouses to be erected as aforesaid, as of the said Duties so made payable as aforesaid; and by Writing or Writings under the Hands and Seals of the said Trustees so assembled, or any nine or more of them, to be duly executed, to grant, bargain, sell, mortgage, assign, and set over, the several Duties arising or to arise by virtue of this Act, or any Part thereof, unto such Person or Persons, or their Trustees, as shall advance and lend Money thereupon, as a Security for the Payment of any such Sum or Sums of Money to be so borrowed, with Interest as aforesaid; and that such Assignment or Mortgage shall be in the following Words, or any other Words to the same Purport or Effect; *videlicet*,

and assign the
Duties as a Se-
curity.

Form of Assign-
ment.

BY virtue of an Act of Parliament, made in the Sixteenth Year of the Reign of his Majesty King George the Third (intituled, *An Act for erecting a Lighthouse or Lighthouses and Landmarks in or near the Port of Chester, and for placing Buoys upon the Banks and Shoals leading into and in the said Port; and for regulating of Pilots and Persons towing or tracking of Vessels to and from the City of Chester; and for fixing the Rates payable for the same respectively*); we, whose Names are hereunto subscribed and Seals affixed, being nine or more of the Trustees appointed in or by virtue of the said Act, in Consideration of the Sum of _____ of lawful Money of Great Britain, to us in Hand paid by *A. B.* do assign unto the said *A. B.* his (or her) Executors, Administrators, and Assigns, all and singular the Duties arising by virtue of the said Act; and also the Lands, Buildings, and Premises, situate, lying, and being, upon the Point of Air, or in or near the Township of *Prestatyn* in the County of *Flint*, vested by the said Act in the said Trustees therein named; and all the Estate, Right, Title, and Interest, of the Trustees in the Act mentioned, of, in, and to the same Premises; I'o hold the same unto the said *A. B.* his (or her) Executors, Administrators, and Assigns, until the said Sum of _____ together with

with the Interest for the same, after the Rate of *per Centum per Annum*, shall be fully paid and satisfied.

Given under our Hands and Seals, the Day of in the Year of our Lord
Witness, C. D.'

And that the Money so to be borrowed shall be issued, paid, and applied, for the Uses and Purposes of this Act, in such Manner as is herein after directed; and that no Preference shall be given to any Person or Persons advancing any Part or Parts of the Money so to be borrowed, in respect of the Priority of advancing his, her, or their Part or Parts thereof, but that all such Lenders and Persons to whom such Assignments shall be made as aforesaid, shall be, and are hereby declared to be, Creditors on the said Rates or Duties, and on the said Lands, Buildings, and Premises, so to be mortgaged as aforesaid, in an equal Degree one with another; any Thing in this Act contained to the contrary notwithstanding.

Application of the Money to be borrowed.

XIX. And be it further enacted by the Authority aforesaid, That Entries or Memorials of every such Grant or Grants, Assignment or Assignments, so to be granted and made as aforesaid, containing, the Dates, Names of the Parties, and Sums of Money borrowed, shall be made or entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; which said Book or Books shall and may be perused at all reasonable Times by any of the said Trustees, or other Persons interested in the Premises, without Fee or Reward: And that all and every Person and Persons, to whom any such Grant or Grants, Assignment or Assignments, shall be made as aforesaid, or who shall be intitled to the Money thereby granted or secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest or Benefit, to the said Principal and Interest Money thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Grant or Security, before one credible Witness, the following Words, or Words to the like Purport or Effect; *videlicet*,

Assignments to be entered in a Book.

Assignments may be transferred.

I Do transfer this Grant or Assignment, with all my Right and Title to the Principal Money thereby secured, and to all the Interest now due or hereafter to become due, unto C. D. of his Executors, Administrators, and Assigns.
Dated this Day of in the Year of our Lord
Witness, E. F.

Form of Transfer.

XX. And be it further enacted by the Authority aforesaid, That the said Trustees shall keep or cause to be kept and entered in Books to be kept for that Purpose, Minutes of their Proceedings; and also that fair, just, and true Accounts of the Receipts and Disbursements of all Sums of Money to be collected, received, issued, paid, and applied, for the Purpose of, or concerning the erecting, building, maintaining, and supporting, the Lighthouse or Lighthouses, and Landmarks, and also for the several other Things authorized to be done by virtue and in pursuance of this Act, shall be entered and kept separately and distinctly in separate Books, and shall not be complicated or intermixed with any other Accounts whatsoever; which said Minute-book and Books of Account shall be kept by the Clerk, Treasurer, or some other Person or Persons appointed by the said Trustees, or any five or more of them, for that Purpose, and shall be open, at all convenient Hours of Business, to the Inspection of all Persons interested therein.

Minute-books and Books of Account to be kept distinct.

XXI. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, the said Trustees, or any seven or more of them, at any of their General Quarterly Meetings assembled, shall from Time to Time appoint three Persons as Auditors, who shall annually inspect and adjust the Treasurer's Accounts of the Receipts and Disbursements of all the Monies collected, received, levied, and paid, by virtue and in pursuance of this Act; and upon such Account or Accounts being so audited and settled, the same shall from Time to Time be fairly entered and transcribed in a Book to be kept for that Purpose, and subscribed by such Auditors; which said Book shall be kept by the Treasurer to the said Trustees for the Time being, or some other Person by them appointed to keep the same, for the Inspection of all Persons interested therein; and that a General State of such Account or Accounts shall be annually printed and published.

Auditors appointed to settle the Treasurer's Accounts.

XXII. And, to the Intent that the said Rates or Duties may be the better collected and received, be it further enacted by the Authority aforesaid, That the Collector of his Majesty's Customs, Customer, Comptroller, Surveyor, Searcher, Coastwaiter, and all other Officers of the Customs whatsoever, within the said Ports of *Chester* and *Liverpool*, their respective Deputies or Clerks, shall not, nor shall any of them, after the Commencement of this Act, receive or grant any Cocket, or other Discharge or Clearance, or clear inwards or outwards any Ship, Sloop, or other Vessel, *British* or foreign, liable and subject to the Payment of the said Duties, until the same Duties shall be fully paid or satisfied to the said Receiver or Receivers so to be appointed by the said Trustees to receive the same; and until such respective Master, Owner, or other Person taking Charge of any Ship or Vessel subject and liable to the Payment thereof, shall produce and shew to such Officer respectively a Receipt under the Hand of such Receiver for the same: And in case any such Collector, Customer, Comptroller, Surveyor, Searcher, Coastwaiter, or other Officer, or their Clerk, shall make Default in such his Duty aforesaid, he shall, for every such Offence, forfeit and pay the Sum of twenty Pounds, to be recovered in like Manner as the said Penalty on Persons acting as Trustees, without being qualified, is herein before directed to be recovered.

Officers of the Customs not to grant Cockets, &c. till Payment of the Duties;

on Penalty of 20l.

XXIII. And be it further enacted by the Authority aforesaid, That, in case any Owner, Master, or other Person having or taking upon himself, or appearing to have or take, the Command or Charge of any Ship or Ships, Vessel or Vessels, charged or chargeable with the said Duties, and payable at the City and Port of *Chester*, shall refuse to pay the same, then, and in such Case, it shall and may be lawful to and for the

In case of Non-payment of Duties at *Chester*, Trustees may distrain, &c.

the said Trustees, or any five or more of them, or for their Receiver, or other Person or Persons to be appointed by the said Trustees, or any five or more of them, by virtue of this Act, either with or without any Warrant from the Mayor of the City of *Chester*, or any other Justice of the Peace for the County of the same City, in preference to, and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever, claimable by or due to any Persons whomsoever, to seize any of the Tackle, Furniture, and Apparel, of or belonging to any such Ship or Vessel, and the same to detain and keep until the Duties payable for such Ship or Vessel shall be paid and satisfied; and in case of any Neglect or Delay in Payment of the said Duties, for the Space of three Days next after such Seizure, then it shall and may be lawful to and for the said Trustees, or any five or more of them, or their Receiver or Receivers of the said Duties, or such other Person or Persons as shall be appointed by the said Trustees by virtue of this Act, to cause the said Tackle, Furniture, and Apparel, so seized and detained, to be sold, and out of the Money arising by such Sale to satisfy the Duties so due and unpaid, with the Charge of such seizing, detaining, and selling, as the same shall be ascertained and fixed by the said Trustees, or any five of them, rendering to the Master, Owner, or other Person taking Charge of such Ship or Vessel respectively, the Overplus (if any there be) upon Demand.

In case of Non-payment of Duties at Liverpool, the Mayor, &c. may seize Tackle, Furniture, &c.

XXIV. And be it further enacted by the Authority aforesaid, That in case any Owner, Master, or any other Person having or taking upon himself, or appearing to have or take, the Command or Charge of any Ship or Ships, Vessel or Vessels, which shall arrive at the Port of *Liverpool*, and be charged with the said Duties, shall refuse to pay the same, then, and in such Case, it shall and may be lawful to and for the Mayor of the Borough of *Liverpool* for the Time being, or his Deputy, or any one Justice of the Peace of the same Borough, upon Complaint made before him by the Receiver or Receivers, or other Person or Persons appointed to receive the said Duties at the said Port of *Liverpool*, to issue out a Warrant to seize any Tackle, Furniture, and Apparel, of or belonging to any such Ship or Vessel, and the same to detain and keep until the said Duties payable for such Ship or Vessel shall be paid and satisfied; and in case of any Neglect or Delay in Payment of the said Duties, for the Space of three Days next after such Seizure, then it shall and may be lawful to and for the said Receivers of the said Duties for the Time being to cause the said Tackle, Furniture, and Apparel, so seized, to be sold, and out of the Money arising by such Sale to satisfy the Duties so due and unpaid, with the Charge of such seizing, detaining, and selling, as the same shall be ascertained and fixed by the Mayor of the said Borough of *Liverpool* for the Time being, or his Deputy, or such one Justice of the Peace as aforesaid, rendering to the Master, Owner, or Agent, of such Ship or Vessel, the Overplus (if any there be) upon Demand.

Application of the Money to be borrowed, &c.

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, by and out of the Monies that shall be so taken up by way of Loan or Mortgage as aforesaid, and by and out of the said Duties herein before granted, in the first Place, to pay, satisfy, and discharge, all the Costs, Charges, and Expences, of applying for, obtaining, and passing, this present Act of Parliament, and all the necessary Expences preparatory and relating thereto; and after Payment and Satisfaction thereof, then to pay all just and reasonable Charges of erecting, maintaining, and supporting, the said Lighthouse or Lighthouses so to be erected as aforesaid, and the Fire or other Lights to be kept therein, together with all other Charges relating thereto that shall be proper and necessary for executing the Trusts of this Act, and the Interest of all such Sums of Money as shall be so borrowed and taken up by way of Mortgage, from the respective Times of advancing such Monies, until they shall be respectively repaid and reimbursed, with the Charges of collecting and recovering the Duties aforesaid.

Trustees, with Consent of the Corporation of Trinity-house, &c. may alter or remove Lighthouses.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any nine or more of them, at any of their General Quarterly Meetings (by and with the Consent and Approbation of the said Corporation of *Trinity-house*, and of the Mayor of *Liverpool* for the Time being, and of the Trustees of the Docks, Lights, and Harbour, of *Liverpool*, or any seven or more of them for the Time being, but not otherwise) to alter, remove, or take down, the said Lighthouse or Lighthouses, so to be erected on the *Point of Air*, and at or near *Prestatyn* aforesaid, or either of them, and to erect and build the same again in any other Part or Place at or near the said *Point of Air*, or at or near *Prestatyn* aforesaid, as the Shifting or Alteration of the Banks and Channels may require.

Penalty on neglecting to keep Fire.

XXVII. And be it further enacted by the Authority aforesaid, That if any Person or Persons, appointed or to be appointed by the said Trustees to attend any Lighthouse or Lighthouses that shall be erected in pursuance of this Act, shall neglect to keep and shew forth good and sufficient Fires and Lights during the Whole of the several Periods of Time by this Act limited and described for that Purpose, every Person so offending shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Trustees may erect Landmarks, &c.

XXVIII. And be it further enacted by the Authority aforesaid, that it shall and may be lawful to and for the Trustees appointed by this Act, or any five or more of them, and they are hereby authorized and empowered at any Time hereafter (when the Fund arising from the Duties herein before granted, or any voluntary Subscriptions shall enable them) to erect and build, or cause to be erected and built, one or more Landmarks within the Townships of *Thurstaston* and *Caldy* in the County of *Chester*, or in any other proper Place or Places within the said Port of *Chester*; and the same Trustees, or any five or more of them, are hereby empowered to survey, mark, set out, and take, such and so much Land or Ground as shall be necessary for the erecting and building such Landmarks, and also to set out proper Roads to the same, they the said Trustees making a reasonable Satisfaction to the Owners or Occupiers of the Land on which such Landmarks shall be so erected, and for such proper Roads as aforesaid; the same to be ascertained, settled, and adjusted, in Manner aforesaid.

Trustees may place Buoys.

XXIX. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, may and they are hereby authorized to lay and fix Buoys in proper Places upon *Chester-bar*, and

and other Banks and Shoals leading into and in the Port of *Chester*, between the South-west Side of *Hoyle Sands* and the main Land on the Coast of *Wales*; and may from Time to Time remove, alter, displace, and replace, the same as they shall find necessary and proper for the Safety of Ships and Vessels.

XXX. And be it further enacted by the Authority aforesaid, That if any Person or Persons whomsoever, after the passing of this Act, shall maliciously, wilfully, or wantonly, demolish, alter, break down, destroy, or set on fire, the said Lighthouse or Lighthouses, or Landmarks, or any or either of them, or remove, sink, or destroy, any of the said Buoys, or otherwise injure any of the Works to be erected, made, placed, or set up, for the Purposes of this Act, or shall wilfully, maliciously, or wantonly, extinguish or put out any of the said Fires or Lights, that should and ought to be kept burning and shewn forth in the said Lighthouse or Lighthouses, or either of them; every such Person or Persons so offending in any of the Cases aforesaid, and being thereof convicted, shall be adjudged guilty of Felony, and that the Court or Courts, by and before whom such Person or Persons shall be indicted and tried, shall and have hereby Power and Authority to transport such Felon or Felons for the Space of Seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, or for a longer Time, according to the Heinousness of the Crime or Crimes which such Person or Persons shall be charged with and convicted of, at the Discretion of such Court.

Any Person wilfully destroying or setting on Fire the Lighthouses, &c.

shall, on Conviction, be deemed guilty of Felony

XXXI. And be it further enacted by the Authority aforesaid, That the Right and Property of all and every the Lighthouse, or Lighthouses, Landmarks, and other Directions, to be built, constructed, set up, fixed, placed, or made, in pursuance of this Act, shall be vested in the said Trustees, appointed by or to be elected in pursuance of this Act, for the Term herein after mentioned; and that they, or any five or more of them, are hereby authorised and empowered to bring any Action or Actions, in the Name of any one of them, by the Name or Style of *The Trustees for the Lighthouse or Lighthouses in the Port of Chester*, or in the Name of their Receiver or Treasurer, or to prefer any Bill or Bills of Indictment against any Person or Persons who shall steal, take away, break down, move, displace, alter, sink, or spoil, the said Lighthouse or Lighthouses, or any of the Landmarks, Buoys, or other Directions, or shall do any Act whereby any Damage may accrue to the same, or any of them, or any Parts thereof respectively; and the Damage, when recovered, after deducting the Costs of Suit, shall be paid and applied to such and the same Uses as other pecuniary Penalties in this Act are directed to be paid and applied; and that the said Trustees may, in any Case whatsoever relative to this Act, sue and be sued by the Name or Style of *The Trustees for the Lighthouse or Lighthouses in the Port of Chester*; and that Service of any Writ or Process upon the Treasurer for the Time being to the said Trustees, in order to enforce an Appearance, shall be deemed good Service.

Lighthouses, Landmarks, &c. vested in Trustees

Their Name or Style

May sue and be sued.

XXXII. Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees shall, out of the Duties herein before granted, pay to the said Corporation of *Trinity-house* the yearly Rent or Sum of five Pounds at the *Trinity-house* in *London*, by equal Quarterly Payments, for and during the Term of Ninety-nine Years, to be computed from the Time of exhibiting a Light in either of the said Lighthouses; and that, from and immediately after the Expiration of the said Term of Ninety-nine Years, the said Lighthouses and Lights, and all the Duties herein before granted, and all the Powers, Means, Remedies, and Methods, hereby given for obtaining or compelling Payment thereof, shall vest in the said Corporation of *Trinity-house*, and shall be from thenceforth for ever held, exercised, and enjoyed, by them; and that the said Corporation of *Trinity-house*, and their Agents, shall have full Power and Authority of entering into and inspecting the State of the said Lighthouses and Lights; and that the same shall from Time to Time be amended and repaired according to every Notice to be for that Purpose given by the said Corporation of *Trinity-house* to the said Trustees, or any five or more of them; and that in case the said Lighthouses shall not, during the said Term, be kept properly lighted during the Night-season, it shall and may be lawful to and for the said Corporation of *Trinity-house* to enter into the said Lighthouses, Lights, and Duties, and to evict the said Trustees therefrom, and to hold and enjoy the same for the Residue of the said Term; but subject to the Payment of all Money then owing upon the Credit of the said Duties, and all Interest due and to grow due thereon: Provided also, That in case the said Lighthouses shall not be kept in good Repair, it shall and may be lawful to and for the said Corporation of *Trinity-house*, within three Months next after every Notice given, to cause the same to be repaired in such Manner as they shall think fit; and the Expence thereof shall be defrayed by the said Trustees out of the said Duties; and in case any Default shall be made in Payment of the said yearly Rent or Sum of Money so directed to be paid to the Corporation of *Trinity-house* as aforesaid, it shall and may be lawful for the said Corporation to collect and receive the said Duties until such Time as the said Rent so in Arrear shall be fully satisfied and paid.

Trustees to pay 5l. a Year to the Corporation of Trinity-house for 99 Years; after which Term, the Lighthouses, &c. to be vested in the said Corporation.

If Trustees neglect to repair Lighthouses, the Corporation may order it to be done, &c.

XXXIII. And, in order that proper and skilful Persons may be appointed Pilots for conducting Ships and Vessels into and out of the said Port of *Chester*, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, at any of their General Quarterly Meetings assembled as aforesaid, and they are hereby authorised and empowered to examine and enquire into the Skill and Ability of every Person and Persons residing within the Port of *Chester*, who shall tender or offer himself or themselves to be admitted as a Pilot or Pilots within the Port of *Chester* aforesaid; and if, upon a strict Examination, the Person or Persons so offering him or themselves as a Pilot or Pilots within such Port, shall be found well qualified and approved of by the same Trustees, or any seven or more of them, as aforesaid, the said Trustees may appoint such Number of the Persons so examined as they shall think sufficient to be Pilots within the said Port, and shall grant to each of them a Licence to act as Pilots within the same Port; which Licence shall contain the Name, Age, and Place of Abode, of the Person so licensed, and shall certify that he is duly qualified to act as a Pilot to conduct Ships and Vessels into and out of the Port of *Chester*; and the said Licence shall be subscribed with the

Trustees may examine and grant Licences to Pilots.

proper Hand-writing of seven or more of the said Trustees: And every such Person or Persons respectively shall from thenceforth be deemed duly qualified to exercise and follow the Occupation or Business of a Pilot or Pilots within the Port of *Chester* as aforesaid; and that no more than five Shillings shall be taken by the Clerk of the said Trustees for the writing, filling up, or completing of any one Licence; and no such Licence so to be granted as aforesaid shall continue in Force for any longer Time or Term than three Years from the Date thereof; any Thing herein contained to the contrary notwithstanding.

Pilots acting without a Licence, to forfeit 10 l.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, not being licensed as aforesaid, shall, from and after the Time that the said Trustees shall have fixed a proper Number of Pilots, take upon him or themselves to conduct or pilot any Ship or Vessel into or out of the said Port of *Chester*, or if any Pilot so licensed as aforesaid shall, after the Expiration of such his Licence, continue to act as a Pilot without the Renewal of the same; every such Person or Persons shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

Licensed Pilots not doing their Duty, on proper Notice, to forfeit 10 l.

XXXV. And be it further enacted by the Authority aforesaid, That in case any Pilot, who shall receive such Licence as aforesaid, shall refuse or neglect to take the Charge or Conduct of any Ship or Vessel outward-bound, upon proper Notice being first given to such Pilot, or if any such Pilot shall be plying betwixt *Dalpoole* in the County of *Chester* aforesaid, and Westward of *Chester-bar*, and upon a Gun being fired, or an Ensign being hoisted in a West, or other usual Signal given from any Ship or Vessel, shall refuse or neglect forthwith to board and take under his Charge or Care such Ship or Vessel, or, if any such Ship or Vessel cannot be boarded without imminent Danger, such Pilot shall refuse or neglect to lead the Way with his Boat, every such Pilot shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

Pilots misbehaving, their Licences may be recalled.

XXXVI. And be it further enacted by the Authority aforesaid, That in case it shall appear to the said Trustees, or any five or more of them, that any Pilot or Pilots so licensed as aforesaid shall have misbehaved him or themselves in the conducting of any Ship or Vessel, or in the Execution of any other Part of his or their Duty as a Pilot or Pilots, or if such Pilot or Pilots shall refuse to obey any Summons of the said Trustees, or any five or more of them, at any of their Meetings, requiring his or their Appearance before the said Trustees, or shall not obey all such Orders as the said Trustees, or any five or more of them, shall make in the Premises, or in anywise offend or misbehave him or themselves as a Pilot or Pilots; then, and in any such Case, the said Trustees, or any five or more of them, upon Examination thereof, are hereby authorized and empowered to recal the Licence or Licences granted to such Pilot or Pilots respectively, and to declare the same to be from thenceforth revoked and utterly void, or to suspend such Pilot or Pilots for such Time as the said Trustees, or any five or more of them, shall think proper: And if any such Person or Persons so offending or misbehaving him or themselves (after Notice in Writing of his Licence being recalled, or of his being suspended as aforesaid, given to him or them in Person, or left at his or their usual Place of Abode) shall presume to act as a Pilot or Pilots in conducting any Ship or Ships, Vessel or Vessels, into or out of the Port of *Chester*, he or they shall be subject to the like Penalty as Persons acting as Pilots, without being licensed by the said Trustees, by virtue of this Act are subject to.

Penalty on Pilots acting after their Licences are recalled, &c.

Security to be given for Pilotage of outward-bound Vessels,

XXXVII. And be it further enacted by the Authority aforesaid, That if any of the Pilots so to be licensed as aforesaid shall be requested by the Master, Commander, Owner, or Agent, of any Ship or Vessel outward-bound, to take the Charge or Conduct of such Ship or Vessel, it shall and may be lawful to and for such Pilot, previous to his taking such Charge or Conduct, to demand a sufficient Security from such Master, Commander, Owner, or Agent, for the Payment of such Pilotage outward, according to the Rates and Prices herein after mentioned, or that shall be fixed by the said Trustees, or any thirteen or more of them; and if such Commander, Owner, or Agent, shall refuse to pay such Rates, or give such Security, then, and in such Case, such Pilot may refuse to conduct or pilot such Ship or Vessel as aforesaid, without being subject to or incurring any of the Penalties inflicted by this Act on Pilots refusing to take the Charge or Conduct of Ships or Vessels as aforesaid.

or Pilots may refuse to conduct them.

Rates of Pilotage.

XXXVIII. And, for preventing exorbitant Demands being made by any Pilot or Pilots, so to be licensed as aforesaid, for the conducting or piloting any Ship or Vessel into or out of the said Port of *Chester*, be it enacted by the Authority aforesaid, That no greater Rates for Pilotage shall be demanded or taken by any such Pilot or Pilots than what is or are herein after mentioned; that is to say,

For piloting or conducting any Ship or Vessel belonging to any of his Majesty's Subjects into the said Port of *Chester*, from the Length of the *Great Ormshead* on the Coast of *Wales*, bearing South and by West, to the City of *Chester*, during the Winter Season, the Sum of nine Shillings a Foot for every Foot of Water such Ship or Vessel so to be piloted or conducted shall then draw; such Winter Season to begin and commence on the first Day of *October*, and end on the thirty-first Day of *March* yearly, both Days inclusive:—And for piloting or conducting any such Ship or Vessel out of the said Port of *Chester* from the City of *Chester* to the Length of the *Great Ormshead* aforesaid, during the Winter Season, to be computed as aforesaid, the Sum of six Shillings a Foot for every Foot of Water such Ship or Vessel, so to be piloted or conducted out of the said Port, shall then draw:—And for piloting or conducting any such Ship or Vessel into the said Port of *Chester* from the Length of the *Great Ormshead* aforesaid to the said City of *Chester*, during the Summer Season, the Sum of seven Shillings a Foot for every Foot of Water such Ship or Vessel so to be piloted or conducted as aforesaid shall then draw; such Summer Season to begin and commence on the first Day of *April*, and end on the thirtieth Day of *September* yearly, both Days inclusive:—And for piloting or conducting any such Ship or Vessel out of the said Port of *Chester* from the said City of *Chester* to the Length of the *Great Ormshead*, during the like Summer Season, the Sum of five Shillings

Shillings a Foot for every Foot of Water such Ship or Vessel, so to be piloted or conducted out of the said Port, shall then draw :

And so in Proportion for half a Foot of Water in all the Cases aforesaid ; but no Allowance to be made for odd Inches above or under Half a Foot.

XXXIX. Provided always, and be it further enacted by the Authority aforesaid, That every Master, or other Person having the Command of any Ship or Vessel in the Coasting-trade, or trading to or from *Ireland*, whose Ship or Vessel shall be conducted or piloted into or out of the said Port of *Chester* in Manner aforesaid, shall pay or cause to be paid one Half only, and no more, of the said respective Rates for such Pilotage, according to the Season of the Year, as before described,

Vessels in the Coasting-trade to pay only Half the Rates.

XL. Provided also, That no Master or Commander of any Coasting Ship or Vessel, or of such Ships or Vessels as trade to or from *Ireland*, which shall be conducted or piloted into or out of the said Port of *Chester*, shall pay any less Sum for such Pilotage than for eight Feet Draught of Water, according to the Rates hereby directed to be paid for such Ships or Vessels ; but if such Ship or Vessel shall draw more than eight Feet Draught of Water, the Overplus shall be paid for according to the Rates aforesaid.

Coasting-Vessels not to pay for less than 8 Feet Draught of Water.

XLI. And whereas Ships or Vessels belonging to Aliens, or the Subjects of Foreign Powers, frequenting the Port of *Chester*, usually draw less Water in proportion to their Burthen than Ships or Vessels belonging to the Subjects of *Great Britain* ; be it therefore enacted by the Authority aforesaid, That the following and no greater Rates shall be demanded or taken for the piloting or conducting of any such alien Ship or Vessel into or out of the said Port of *Chester* ; that is to say,

Rates for alien Ships.

For piloting or conducting any such Ship or Vessel into the said Port of *Chester*, from the Length of the *Great Ormshead* on the Coast of *Wales*, bearing South and by West, to the City of *Chester*, during the Winter Season (such Winter Season to be computed as aforesaid) the Sum of twelve Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw :—And for piloting or conducting any such Ship or Vessel out of the said Port from the City of *Chester* to the Length of the *Great Ormshead* aforesaid, during the said Winter Season, the Sum of ten Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw :—And for piloting or conducting any such Ship or Vessel into the said Port of *Chester*, from the Length of the *Great Ormshead* aforesaid to the City of *Chester*, during the Summer Season (such Summer Season to be computed as aforesaid) the Sum of ten Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw :—And for piloting or conducting any such Ship or Vessel out of the said Port from the City of *Chester* to the Length of the *Great Ormshead* aforesaid, during the Summer Season, the Sum of seven Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw :

And so in proportion for Half a Foot of Water in any of the Cases aforesaid ; but no Allowance to be made for odd Inches above or under Half a Foot.

XLII. And be it further enacted by the Authority aforesaid, That in case the Master or Commander of any Ship or Vessel inward-bound shall refuse to take on Board and employ a Pilot, so to be licensed as aforesaid, who shall offer his Service, such Master or Commander shall pay or cause to be paid to the Pilot who first boards him, or offers his Service as aforesaid, and shall be so refused, the full Pilotage inwards, according to the different Rates authorised by this Act, as if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into the said Port of *Chester* ; and that notwithstanding such Refusal of the Master or Commander to take on Board or employ any such Pilot so licensed as aforesaid, in any of the Cases aforesaid, the Pilot so offering his Service shall, and is hereby required to attend and lead the Way with his Boat, for such Ship or Vessel to follow, until such Ship or Vessel shall be brought to an Anchor at *Dalpoole* or *Parkgate* within the Port of *Chester*, before such Pilot shall be entitled to any Pilotage under this Act.

Pilot offering to inward-bound Vessels, and refused, to be paid;

on leading the Way with his Boat.

XLIII. Provided always, That if no Pilot or Pilots shall be ready to offer his or their Service, before any Ship or Vessel shall have passed by or got to the Eastward of *Chester-bar*, the Master or Commander of such Ship or Vessel may refuse to employ or pay any Pilot or Pilots who may afterwards offer to take the Charge of such Ship or Vessel.

Proviso.

XLIV. Provided also, That this Act shall not extend to prevent or hinder the Master or other Person having the Command of any Ship or Vessel in the Coasting-trade, or trading to or from *Ireland*, from conducting or piloting his own Ship or Vessel into or out of the said Port of *Chester*, without being subject to the Payment of the said Rates for Pilotage ; nor to hinder any Person or Persons from assisting any Ship or Vessel in Distress, or to subject such Person or Persons to any of the Penalties in this Act ; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Masters in the Coasting-trade may pilot their own Vessels, and any Person assist a Ship in Distress.

XLV. And be it further enacted by the Authority aforesaid, That the Master or Commander of every Ship or Vessel so to be piloted or conducted into or out of the said Port of *Chester* as aforesaid, shall, and is hereby required to declare and give a true Account, to the Pilot employed in conducting or piloting such Ship or Vessel, of the Draught of Water such Ship or Vessel shall then draw ; and in case the Pilot so employed shall suspect the Truth of the Declaration of such Master or Commander, such Pilot shall and is hereby authorised to admeasure, or cause such Ship or Vessel to be admeasured, in order to find the true Draught of Water such Ship or Vessel shall then draw.

Every Master to give the Pilot an Account of the Draught of Water of his Ship, &c.

XLVI. And be it further enacted by the Authority aforesaid, That in case any Owner or Master, or any other Person having or taking upon himself, or appearing to have or take, the Command or Charge of any Ship or Ships, Vessel or Vessels, charged or chargeable with the respective Rates for Pilotage hereby authorised to be paid or allowed by this Act, shall refuse to pay the same ; then, and in such Case, it shall be lawful to and for the said Trustees appointed by this Act, or any nine or more of them, or for their Receiver or other Person or Persons by them appointed for the Time being, to recover such Rates by

On Non-payment of Pilotage, Trustees may distrain.

Distress and Sale, in such Manner as is herein before particularly mentioned and directed for recovering the Duties herein before granted.

Chester Pilots
boats to carry
two Masts.
Liverpool Pilots
may take the
Charge of Chester
Ships in certain
Cases, &c.

XLVII. And be it further enacted by the Authority aforesaid, That every Pilot that shall be so licensed in the Port of *Chester* as aforesaid, shall have and carry two Masts.

XLVIII. And be it further enacted by the Authority aforesaid, That if any Ship or Vessel at Sea, or to the Westward of *Chester-bar*, bound for the Port of *Chester*, shall be met or boarded by a *Liverpool* Pilot, and no *Chester* Pilot near at Hand, or in Sight, that then it shall and may be lawful (if the Master or Commander of such Ship or Vessel shall think proper, but not otherwise) for the said *Liverpool* Pilot to take the Charge of such Ship or Vessel until she shall arrive or come to an Anchor at *Dalpoole*, in the Port of *Chester*; and also that the *Liverpool* Pilots shall be allowed to take the Charge of piloting his Majesty's Ships into or out of the Port of *Chester* at all Times whatever; any Thing in this Act to the contrary hereof notwithstanding.

Trustees empowered to lessen
the Rates of Pilots,
&c.

XLIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any of their General Quarterly Meetings, to alter, lessen, lower, diminish, or reduce, the Rates of Pilotage hereby made payable, or any of them; and also to advance and raise the same again in such Manner as to them the said Trustees, or any thirteen or more of them, as aforesaid, from Time to Time, shall seem meet, requisite, and expedient, so as such Rates, when raised again and advanced, do not exceed the Rates herein before made payable, and directed to be taken by Pilots as aforesaid.

Trustees empowered to fix Rates
for piloting small
Distances.

L. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any nine or more of them, at any of their Quarterly Meetings, to ascertain, settle, and fix, the Rates of Pilotage from one Place to another for any Distance within the intermediate Space between the *Great Ormshead* aforesaid, and the said City of *Chester*; so as such Rates in the Whole do not exceed the Rates herein before fixed for piloting any Ship or Vessel from the Length of the *Great Ormshead* aforesaid to the City of *Chester* aforesaid, inwards or outwards, according to the Season of the Year.

Trustees may grant Licences
to Persons for tracking or towing
Vessels.

LI. And, for the better towing and tracking of Ships and Vessels with Horses to and from the said City of *Chester*, within the said Port of *Chester*, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, from Time to Time, at any of their General Quarterly Meetings assembled, and they are hereby authorized and empowered to examine and enquire as to the Care and Ability of every Person who shall tender or offer himself to be admitted as a Tower or Tracker of Ships or Vessels with Horses, within the Port of *Chester* aforesaid; and every Person who, upon such Examination and Enquiry, shall be approved by the said Trustees, or any seven or more of them, shall receive a Licence containing his Name, Age, and Place of Abode, and also certifying that he is duly qualified to tow or track Vessels with Horses within the said Port of *Chester*; which Licence shall be subscribed with the proper Hand-writing of seven or more of the said Trustees; and every Person so licensed (and no other) shall be deemed duly qualified to exercise and follow the Occupation or Business of a Tower or Tracker of Vessels with Horses within the Port of *Chester* as aforesaid; and that no more than two Shillings and Sixpence shall be taken by the Clerk to the said Trustees for the writing, filling up, or completing, of any one such Licence; and no such Licence, so to be granted as aforesaid, shall continue in Force for any longer Time or Term than three Years from the Date thereof: And if any Person shall, from and after the first Day of *January* one thousand seven hundred and seventy-seven, presume to tow or track any Ship or Vessel with Horses within the said Port of *Chester*, without being duly licensed so to do, every such Person or Persons shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

Towers acting
without Licence,
to forfeit 10 l.

Rates for towing
or tracking.

LII. And, for preventing any exorbitant Demand being made by any Tower or Tracker with Horses, so licensed for towing or tracking any Ship or Vessel as aforesaid, be it further enacted by the Authority aforesaid, That no greater Rates or Prices shall be taken by any such Person for towing or tracking with Horses as aforesaid, than what is or are herein after mentioned; that is to say,

For towing or tracking any Ship or Vessel from the City of *Chester* to the new Quay in the River *Dee*, or from the New Quay to the said City of *Chester*, during the Winter Season, the Sum of one Pound five Shillings (such Winter Season to commence on the first Day of *October*, and end on the thirty-first Day of *March* yearly, both Days inclusive):—And for towing or tracking any Ship or Vessel from the said City of *Chester* to the said New Quay, or from the said New Quay to the said City of *Chester*, during the Summer Season, the Sum of one Guinea (such Summer Season to commence on the first Day of *April*, and end on the thirtieth Day of *September* yearly, both Days inclusive).

Trustees empowered to lessen
the Rates of Towers or
Trackers, &c.

LIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any Time or Times, at any of their General Quarterly Meetings, to alter, lessen, lower, diminish, or reduce, the said Rates for towing or tracking of Ships and Vessels with Horses hereby made payable, or any of them; and also to advance and raise again the same in such Manner as to them the said Trustees, or any thirteen or more of them, at such General Meetings, from Time to Time, shall seem meet, requisite, and expedient; so as such Rates, when raised again and advanced, do not exceed the Rates herein before made payable, and authorized to be taken by Towers or Trackers as aforesaid; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Trustees may suspend or vacate
Licences granted to Towers
or Trackers.

LIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, at any such General Quarterly Meetings as aforesaid, to suspend or recal any Licence or Licences which shall have been granted to such

Towers

Towers or Trackers as aforesaid, and who shall in any-wise neglect his or their Duty as Towers or Trackers, or shall not conform themselves to all such Rules, Orders, or Bye-laws, as shall be made by virtue of this Act for the better Government of such Towers or Trackers within the said Port of *Chester*: And if any Tower or Tracker, whose Licence shall be suspended or taken away as aforesaid, shall take upon him or themselves to tow or track any Ship or Vessel with Horses within the said Port of *Chester*, such Tower or Tracker shall be liable to all such Pains and Penalties, and to be recovered in the same Manner, as are provided by this Act against such Person or Persons as shall tow or track Ships or Vessels with Horses within the said Port of *Chester*, without being first examined, approved, and licensed, as aforesaid.

‘LV. And, in order to prevent Inconveniences that might arise for Want of a sufficient Number of Persons to tow or track Vessels with Horses within the said Port of *Chester* as aforesaid,’ be it further enacted by the Authority aforesaid, That in case of any Emergency, or extraordinary Want of Towers or Trackers, it shall and may be lawful to and for the Clerk for the Time being to the said Trustees, or such Person as he shall depute, from Time to Time, as often as Occasion shall require, to license by Writing, or verbally appoint, for one Day only at any one Time, such and so many Towers or Trackers as shall be found necessary and useful on such Emergencies or extraordinary Want of Towers or Trackers as aforesaid; and that such Towers or Trackers so licensed or appointed shall not be liable, on the Day for which they are so respectively appointed, to any Penalty inflicted by this Act upon Persons acting as Towers or Trackers without being licensed by the said Trustees as aforesaid; any Thing herein before contained to the contrary thereof in anywise notwithstanding.

The Clerk may appoint extrao-
rdinary Towers,
in Cases of E-
mergency.

‘LVI. And, for the better regulating and managing the said Lighthouse or Lighthouses, Lights, Landmarks, and Buoys, and all other Works, Matters, and Things, authorized to be built, made, erected, and done, by virtue of this Act, and for the better governing and regulating all such Pilots, and all Towers and Trackers of Vessels who shall be respectively licensed to act as such within the said Port of *Chester*,’ be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees appointed by this Act, or any nine or more of them, at any of their General Quarterly Meetings, to be held in pursuance of this Act, to make, ordain, and establish, such Rules, Orders, Bye-laws, and Regulations, for the better regulating and managing the said Lighthouse or Lighthouses, Lights, Landmarks, Buoys, and all other the Works, Matters, and Things, herein before mentioned relating thereto, as to them shall seem proper and expedient; and also to make, ordain, and establish, separate Rules, Orders, Bye-laws, and Regulations, for the better governing and regulating, of all such Pilots so to be appointed and licensed as aforesaid, and likewise to make, ordain, and establish, other separate Rules, Orders, Bye-laws, and Regulations, for the better governing and regulating of all such Towers or Trackers so to be licensed as aforesaid: And it shall and may be lawful for the said Trustees, or any nine or more of them, at any such General Quarterly Meetings, from Time to Time, as Occasion may require, to repeal, add to, amend, or alter, the said respective Rules, Orders, Bye-laws, and Regulations, or any of them, as to them shall, from Time to Time, seem proper and expedient, and to fix and appoint reasonable pecuniary Penalties (not exceeding five Pounds upon one Person for any one Offence) for the Non-observance, Non-performance, or other Breach of all or any of the said respective Rules, Orders, Bye-laws, or Regulations; and all such pecuniary Penalties shall and may be recovered by such Ways and Means as are herein after directed for Recovery of any pecuniary Penalties inflicted by this Act: Provided always, That none of the said respective Rules, Orders, Bye-laws, or Regulations, herein before authorized to be made, be repugnant to the Laws, Statutes, or Customs, of this Realm, nor prejudicial or derogatory to any Right, Authority, or Jurisdiction, belonging to the Office of the Lord High Admiral of *Great Britain*: And the said Trustees, or any five or more of them, shall cause the said respective Rules, Orders, Bye-laws, and Regulations, to be printed either together or separately, as they shall think most proper, and to be hung up in some conspicuous Place at the Custom-house for the said Port of *Chester*, and in the Custom-house or Dock-office in *Liverpool*, and shall also cause Lists of the Pilots and of the Towers or Trackers, who shall from Time to Time be respectively licensed as aforesaid, to be printed and hung up in some conspicuous Place at the Custom-house in the said Port of *Chester*, and to pay the Expences attending the same out of any Money arising by virtue of this Act.

Trustees may
make Bye-laws;

and alter or re-
peal the same.

Bye-laws, &c.
to be printed.

‘LVII. And, in order to prevent the setting or placing of Stake-nets, Posts, or other Obstructions, in or across the Channels, and upon the Banks and Shoals within the said Port of *Chester*,’ be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the first Day of *January* one thousand seven hundred and seventy seven, fix or place any Stake-nets, in, over, or across, any of the Channels within the said Port of *Chester*, or in or upon the Banks and Shoals in the same Port, or fix or set any Post or other Obstruction to the Navigation within the said Port of *Chester*, to the Prejudice of Ships, Boats, or Vessels, navigating to or from the said City of *Chester*, and being convicted thereof before one or more Justice or Justices of the Peace of the County or City where the Offence shall be committed, upon the Oath of one or more Witnesses, such Person so offending shall forfeit and pay the Sum of ten Pounds.

Penalty on
placing Stake-
nets across the
Channels, &c.
in the Port of
Chester.

‘LVIII. And, in order to prevent Masters of Ships and other Persons discharging and throwing over-board Gravel, Ballast, or other Rubbish, below or within the Limits of High-water Mark within the Port of *Chester*,’ be it further enacted by the Authority aforesaid, That if any Person or Persons whomsoever shall discharge or cast out of any Ship or Vessel, being within the Port of *Chester*, any Gravel, Ballast, or Rubbish, (except only on the Land where Tide never flows) every such Person so offending shall forfeit and pay the Sum of ten Pounds.

Penalty on dis-
charging Ballast
within High-
water Mark.

LIX. Provided always, and be it further enacted, That if, after defraying all Expences which shall have been incurred by reason or on account of applying for, obtaining, and passing, this present Act of Parliament,

Application of
the Overplus
money.

Parliament, and all the necessary Expences preparatory and relating thereto, and of erecting, building, and setting up, the said Lighthouse or Lighthouses and other Buildings, and also the Landmarks, Buoys, and all other Works by this Act directed or authorized to be erected, built, set up, or made, as aforesaid, it shall be found, upon settling a General Account by such Auditors as aforesaid, that there remains in the Hands of the Treasurer to the said Trustees any Surplus of the Money to be raised by virtue of this Act than in the Opinion of the said Trustees, or any thirteen or more of them, will be required to defray all Expences attending the Maintenance and Support of the said Lighthouse or Lighthouses and other Buildings, and the said several Landmarks and Buoys aforesaid, and all other the Purposes attending the Execution of this Act, all such Surplus-money shall and may from Time to Time be laid out and applied in improving, supporting, and preserving, the said Port of *Chester*, in such Manner as the said Trustees, or any nine or more of them, at any of their General Quarterly Meetings assembled, shall from Time to Time direct, order, or appoint; any Thing in this Act contained to the contrary thereof in any-wise notwithstanding.

No additional Duties to be paid.

LX. Provided always, and be it enacted and declared by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to charge any Master or other Person taking the Charge of any Ship or Vessel with any other or greater Rates, Duties, or Tonnage, for erecting, building, or making, any Lighthouse, Landmarks, or any other Works, than such as are in and by this Act particularly mentioned and described; any Thing in this Act contained to the contrary hereof in any-wise notwithstanding.

Mayor of Chester, or Justices of Peace, &c. to hear and determine Offences against this Act.

LXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor of the City of *Chester* for the Time being, or any one or more Justice or Justices of the Peace for the County of the same City, or for the Mayor of the Borough of *Liverpool* for the Time being, or any one or more Justice or Justices of the Peace for the same Borough, or for any Justice or Justices of the Peace for the Counties of *Chester* and *Flint*, within their respective Jurisdictions, to hear and determine any Offences which are made subject to and punishable by any pecuniary Penalties for Breach of any of the Bye-laws, or otherwise, where the pecuniary Penalties to be levied do not exceed the Sum of ten Pounds; and such Mayor, Deputy Mayor, Justice or Justices of the Peace, is and are hereby authorized and required, upon any Information exhibited, or Complaint before him, them, or any of them, made, in that Behalf, within three Months next after such Offence committed, to summon the Party or Parties accused, and the Witnesses on either Side; and if such Information or Complaint shall be verified upon Oath by one or more credible Witness or Witnesses, to issue a Warrant or Warrants for apprehending the Party or Parties so offending, and upon the Appearance, or Contempt of the Party accused in not appearing, upon Proof of Notice given, to proceed to the Examination of the Witness or Witnesses upon Oath, and to convict and give such Sentence, Judgment, or Determination, as in their Opinion shall be just and conformable to the Tenor and true Meaning of this Act: And where the Party accused shall be convicted of such Offence upon such Information as aforesaid, or Confession, it shall and may be lawful to and for such Mayor, his Deputy, Justice or Justices respectively, and they are hereby empowered to draw up a Conviction in such Form of Words as to such Mayor or his Deputy, or such Justice or Justices, shall seem proper and applicable to the Matter in question, and to issue his or their Warrant or Warrants for levying the pecuniary Penalties and Forfeitures so adjudged to be incurred, by Distress or Distresses of the Goods and Chattels of the Offender or Offenders, and to cause Sale to be made thereof, in case they shall not be redeemed in five Days, rendering to the Party offending, after Payment of the said Penalties, and all the Costs of the Conviction, Distress, and Sale, the Overplus, if any there be: And in case any Person or Persons shall be convicted, in pursuance of this Act, of any Offence punishable by pecuniary Penalties for Breach of Bye-laws or otherwise as aforesaid, and if no Goods or Chattels of any Person or Persons so offending shall at the Time of such Conviction be found, then, and in such Case, it shall and may be lawful to and for such Mayor, or his Deputy, or such Justice or Justices of the Peace before whom such Person or Persons shall be so convicted as aforesaid, to commit such Offender or Offenders to the House of Correction or Common Gaol of the said City, Borough, or County, as the Case may happen, there to be kept to Hard Labour for any Time not exceeding six Months, or until such pecuniary Penalty or Penalties shall be paid.

On Conviction of Offenders, Mayor or Justice may issue a Warrant for levying Penalties by Distress.

For Want of Distress, Offenders may be committed.

Trustees may mitigate Penalties.

LXII. Provided always, That it shall and may be lawful to and for the said Mayor, Deputy Mayor, or Justices of the Peace as aforesaid, for the Time being, or any of them, by whom such Judgment, Sentence, or Determination, shall be given, pronounced, or made, from Time to Time, when they shall see Cause, to mitigate or lessen any of the pecuniary Penalties or Forfeitures as aforesaid, as they in their Discretion shall think fit, so as not to remit or lessen any Penalty or Forfeiture more than one Moiety of the Penalty inflicted and directed to be levied by this Act.

Application of Penalties.

LXIII. And be it further enacted by the Authority aforesaid, That all pecuniary Penalties or Sums of Money recovered in pursuance of this Act, shall go and be paid, applied, and disposed of, in Manner following; that is to say, one Moiety thereof to the Use of any Person or Persons who shall, by Action, Suit, Bill, Complaint, or Information, or otherwise, recover the same; and the other Moiety to the said Trustees, to be applied in such Manner as the Monies to be raised by virtue of this Act are hereby directed to be paid and applied.

Distress not to be deemed unlawful for Want of Form.

LXIV. And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on Account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person

Person or Persons aggrieved by such Irregularity shall and may recover Satisfaction for the special Damage in an Action upon the Case.

LXV. Provided always, and be it further enacted, That no Summons, Order, Determination, Judgment, Decree, Warrant, Contract, Conveyance, Agreement, Bond, or other Writing or Proceeding whatsoever, under the Hand and Seal or Hands and Seals of any Justice of the Peace, or of the said Trustees, or any of them, or any other Person or Persons whomsoever, or any Transfer or other Writing whatsoever relative to the Execution of this Act, shall be chargeable or chargeable with any Stamp-duty whatsoever; and that no Proceeding to be had or taken in pursuance of this Act shall be qualified or vacated for Want of Form only.

Writings to be without Stamps.

LXVI. Provided always, That any Person or Persons thinking him, her, or themselves aggrieved by any Order or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or of any of the said Rules or Bye-laws, may, within six Calendar Months next after such Order shall have been made or given, appeal to the Justices of the Peace at the General or Quarter Sessions to be held in and for the said Counties of Chester or Flint, or for the County of the City of Chester respectively, where the Cause of Appeal shall arise, and not elsewhere, who shall hear and determine the said Complaint at such General Quarter Sessions; or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the said County or City respectively; and, if they see Cause, may mitigate any Forfeiture or Fine, and may order Money to be returned which shall have been levied in pursuance of such Rules, Bye-laws, Orders, or Determinations, or any of them; and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable.

Persons aggrieved may appeal to the Quarter Sessions.

LXVII. And be it further enacted by the Authority aforesaid, 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, every such Action or Suit shall be brought or commenced within six Calendar Months next after the Fact committed, or, in case there shall be a Continuation of Damage, then within three Calendar Months next after the doing or committing such Damage shall cease, and not afterwards; and shall be laid and brought in the County or City where the Matter or Matters in Dispute shall arise, and not elsewhere; and shall not be removed by Certiorari, or any other Writ or Process whatsoever; and the Defendant or Defendants, in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence upon any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to have been so done, or if any such Action or Suit shall be brought after the Time so limited for bringing the same, or shall be brought in any County or Place otherwise than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, Suit or Suits, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may be intitled to Treble Costs of Suit, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

LXVIII. Provided always, and be it enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be deemed or construed to extend, to take away, change, alter, or lessen, any Jurisdiction, Right, or Power, of the Mayor and Citizens of the City of Chester not particularly affected by this Act; but that the Mayor and Citizens of the City of Chester shall and may, at all Times hereafter, be at Liberty to have, use, exercise, and enjoy, all such Powers, Rights, and Privileges, not particularly affected by this Act, in as full and ample Manner, to all Intents and Purposes, as they might or could have done in case this Act had not been made.

Rights of the Corporation of Chester reserved.

LXIX. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be deemed or construed to extend, to alter, defeat, or obstruct, any of the Powers given to the Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, by the several Acts of Parliament for making the said River navigable; but that the said Company and their Successors, their Deputies, Agents, Workmen, Officers, and Servants, may at all Times hereafter be at Liberty to have, use, exercise, and enjoy, all such Powers, Rights, and Privileges, in as full and ample Manner as they might or could have done in case this Act had not been made; any Thing herein before contained to the contrary notwithstanding.

Rights of the River Dee Company reserved.

LXX. Provided also, That nothing in this Act shall extend to take away, alter, lessen, change, or intrude upon, any of the Jurisdictions or Powers of the Mayor, Bailiffs, and Common Council of Liverpool for the Time being, the Trustees for the Docks and Harbour of Liverpool, and for the erecting and maintaining of the Lighthouses, Landmarks, and Buoys, erected and placed in and for the Port of Liverpool; nor for the licensing or managing of the Pilots or Pilotage acting or sailing in or out of the said Port; nor of the Rights or Estates of or belonging to the Mayor, Bailiff, or Burgesses, of the Borough and Corporation of Liverpool, or of any Part thereof; any Thing herein contained to the contrary thereof in anywise notwithstanding.

This Act not to affect the Rights of Liverpool Corporation, &c.

LXXI. Saving and reserving always to his Majesty, his Heirs and Successors, and to all Lords and Ladies of Manors, Bodies Politic or Corporate, and other Person and Persons, all their and every of their Jurisdictions, Rights, Privileges, Powers, Estates, and Interests whatsoever, except such as are meant and intended to be affected, altered, or taken away, by this Act.

General Savings of Rights.

LXXII. And be it further enacted, That this Act shall be allowed in all Courts whatsoever as a Public Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

Public Act.

C A P. LXII.

An Act to enable the Commissioners of Sewers for several Limits in the Eastern Parts of the County of Kent, more effectually to drain and improve the Lands and Grounds within the General Vallies.

Preamble.

WHEREAS there are in the Vallies from *Fordwich-bridge* to *Sandwich-haven*, in the County of Kent (commonly called *The General Vallies*), upwards of seven thousand Acres of valuable and improveable Arable Lands, Marsh Lands, Meadow Lands, and Low Grounds, within the Limits of the Commission of Sewers herein after mentioned; and, although considerable Sums of Money have for several Years past been annually raised and expended in draining the said Lands and Grounds, they are frequently overflowed: And whereas, if the Commissioners of Sewers for the Time being for the several Limits herein after particularly described, in the Eastern Parts of the said County of Kent, were empowered to make a proper Cut or Drain from the River *Stour*, at or near the Salt-works at *Stonar*, into *Sandwich-haven*, the Lands within the said *General Vallies* would be much better and more effectually drained, and at less Expence, than they have been for several Years past: And whereas the Commissioners of Sewers for the said Limits are willing and desirous to make the said Cut or Drain, and such other Works as shall be necessary for the better and more effectual draining the Lands and Grounds within the said *General Vallies*; but Doubts have arisen whether they have sufficient Powers, by the Laws now in being relating to Sewers, to effect the same: And whereas the draining of the said Lands and Grounds will not only be of great Benefit to the Owners and Occupiers thereof, but also of public Utility; 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 of Sewers for the Time being, for the several Limits between *Mersham*, *Ashford*, *Chart*, and *Canterbury*, and between *Canterbury*, *Fordwich*, *Chislett*, *Reculver*, and the Town and Port of *Sandwich*, and the Liberties thereof, and within the whole Isle of *Thanet*, and within the whole Lath of *Saint Austin's*, and between *Deal*, *Eastry*, *Wingham*, and *Sandwich*, and between *Hernehill*, *Whitstable*, and *Seafalter*, and in the Borders or Confines of the same, and in *Mersham*, *Ashford*, *Chart*, City of *Canterbury*, and the Liberties thereof, and in *Sandwich* and in the Liberties thereof, and in *Graveney* and *Hernehill* aforesaid, and in *Brokebridge* and *Fordborne*, in the Eastern Parts of the County of Kent, or in the Borders or Confines of the same, shall, and they are hereby authorized and empowered to make a Cut or Drain at or near the Salt-works at *Stonar*, in the said County of Kent, from the River *Stour* aforesaid, into *Sandwich-haven*, of such Dimensions as they shall think fit; and from Time to Time to cleanse, scour, widen, deepen, alter, maintain, and support the same in such Manner as they shall think proper, so that the said Cut or Drain shall never exceed forty Feet in Width; and also to make, raise, maintain, and support, such sufficient and proper Banks, and all such other Works on the Sides of the said Cut or Drain, as they shall think necessary; and to make proper and convenient Floodgates within the said Cut or Drain (each Floodgate not to exceed four Feet six Inches in Width); and the said Commissioners of Sewers shall have full Power and Authority over all and singular the said Works to be made, raised, erected, and set up, by virtue of this Act; and shall and may from Time to Time alter, remove, repair, rebuild, enlarge, widen, deepen, scour, and cleanse the same, paying to such Person or Persons, Body or Bodies Corporate, Politic, or Collegiate, as shall or may have a Right or Property in or to any Lands or Grounds through which the intended Cut or Drain shall be made, or from which any Earth shall be dug or taken, or through or upon which any such Banks and other Works as aforesaid shall be made, raised, erected, built, or set up, his, her, or their Guardian, Trustee, or Committee, or any Person or Persons claiming in his, her, or their Right, such Sum or Sums of Money for the Damages they shall respectively sustain thereby, as shall be ascertained and fixed by the said Commissioners of Sewers, who have full Power and Authority to ascertain and fix such the Amount thereof, notwithstanding their being Owners or Occupiers of Lands or Estates lying within the said *General Vallies*: And in case the said Commissioners of Sewers and such Owners or Proprietors cannot agree touching such Recompence and Compensation, the said Commissioners shall and are hereby required to cause a Jury of the County of Kent to be summoned to ascertain and fix the Money to be paid for the Lands and Premises so made use of for making the said Cut or Drain or other Works as aforesaid; and in case the Jury give a Verdict for the same, or for a less Sum than was offered by the said Commissioners of Sewers, the Owner or Proprietor of such Lands or Premises as aforesaid shall bear all the Expences attending the Jury; but if a Verdict shall be given for a greater Sum than was offered by the said Commissioners of Sewers to such Owner or Proprietor as aforesaid, then the said Commissioners of Sewers shall bear all the Expences attending such Jury, any Thing in this Act to the contrary hereof notwithstanding; and that the said Commissioners of Sewers shall not proceed in such Works until such Money so ascertained by the Commissioners, or in case the Proprietors of such Lands shall refuse to accept the same, then such Sum as shall be ascertained and settled by the said Jury, shall be fully paid and satisfied, or legally tendered in Payment and Satisfaction unto such Owner or Owners, Proprietor or Proprietors, as aforesaid.

Commissioners of Sewers authorized to make a Cut or Drain, from the River *Stonar* into *Sandwich-haven*;

and also proper Floodgates, and other Works, for the better draining the Lands within the *General Vallies*.

If Parties cannot agree, a Jury to be summoned.

Expences of Jury by whom to be borne.

The Cut and other Works to be used for no other Purpose than draining the *General Vallies*.

II. Provided always, and be it further enacted and declared by the Authority aforesaid, That nothing herein contained shall extend, or be deemed or construed to extend, to authorise or empower the said Commissioners of Sewers, or their Servants, Agents, or Workmen, or any other Person or Persons whomsoever, to make use of the said Cut or Drain, so to be made from the River *Stour*, at or near *Stonar*, into *Sandwich-haven*, as aforesaid, or any other Works to be by them made and erected at or near the said intended

tended Cut or Drain, for any other Purpose whatsoever than for draining and improving the several Lands and Grounds within the *General Vallies*, between *Fordwich-bridge* and *Sandwich-haven* aforesaid.

III. And whereas a Cut is already nearly made and completed, through certain Lands of *John Lord Viscount Dudley and Ward*, at *Stonar* aforesaid, between the River *Stour* and *Sandwich-haven*, into which Cut a Penstock or Drain from the Salt-works belonging to the said Lord Viscount *Dudley and Ward* empties itself, and it is necessary for the said Salt-works that the said Penstock or Drain should always remain free and open: And whereas the said Commissioners of Sewers may think proper to make use of the said Cut for the Purposes of this Act, be it therefore enacted by the Authority aforesaid, That no Work shall be done or made, by the said Commissioners of Sewers, which shall in any-wise prevent or obstruct the free Course of the Water through the said Penstock from the Salt-works at *Stonar*, but that the same shall have a free Passage into the said Cut, and shall be under the sole Direction and Management of the Owner or Occupier of the said Salt-works for the Time being.

IV. And whereas it may be necessary for making the said Cut or Drain at or near *Stonar* aforesaid, to make use of Part of the Lands belonging to *Josias Wordsworth* Esquire, in the Parish of *Minster*: And whereas the said *Josias Wordsworth* is willing that such Part or Parts of seven Acres of his Land lying next and adjoining to *Stonar* aforesaid (not exceeding three Acres thereof in the Whole) as shall be wanted by the said Commissioners of Sewers, may be made use of by them for making the said Cut or Drain, and such other Works as shall be necessary to be made or used for the Purpose only of draining the Lands and Grounds within the said *General Vallies*, upon making a reasonable Compensation to him for the same, be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of Sewers to purchase and make use of any Part or Parts of the said seven Acres of the said Lands of the said *Josias Wordsworth*, in the said Parish of *Minster* (not exceeding three Acres thereof in the Whole), which shall be wanted for making the said Cut or Drain, or any Part or Parts thereof, or for making or erecting any Works which the said Commissioners of Sewers shall think necessary to be made or erected for the Purpose only of draining and improving the Lands and Grounds within the said *General Vallies*.

V. Provided always, and it is hereby declared, That nothing in this Act contained shall authorize or empower the said Commissioners of Sewers, or their Agents, Workmen, or Servants, to take or use any other Part or Parts of the Lands of the said *Josias Wordsworth* than as aforesaid, without the Consent in Writing for that Purpose of the said *Josias Wordsworth*, his Heirs or Assigns, first had and obtained.

VI. And be it further enacted, That in case the said Cut or Drain shall be made at or near the Salt-works at *Stonar* aforesaid, the Bank on the South Side of the said Cut or Drain from the said River *Stour* to *Sandwich-haven* aforesaid, along by the Salt-works, shall be the Property of the Owner of the Land whereon the same now is or may be made; and the same shall and may from Time to Time be repaired, enlarged, and made use of (but without Prejudice to the said Cut or Drain, or the Works therein or belonging to the same) by the Owner or Owners thereof, without any Interruption or Hindrance from or by the said Commissioners of Sewers, or any other Person whomsoever: Provided always, That nothing herein contained shall extend to prevent or hinder the said Commissioners of Sewers, or their Agents or Workmen, from coming, going, passing, and repassing, on, over, and from the said Bank, to make, repair, or amend, any of their Works in, upon, or adjoining to the said Cut or Drain, as often as Occasion shall require, the said Commissioners of Sewers making good all Damages which shall be done to the said Banks by their said Agents or Servants in making, repairing, or amending, the Works aforesaid.

VII. And whereas it will be necessary, for the Accommodation of Passengers, that a Bridge should be built over the said intended Cut or Drain; be it therefore further enacted, That the said Commissioners of Sewers shall, and they are hereby authorized and required to erect and build, or cause to be erected or built, a good and substantial Carriage-bridge where the said intended Cut or Drain crosses or intersects the Road leading from the Town of *Sandwich* to the *Isle of Thanet*, or within ten Yards of the same; and that the Passage or Road over the said Bridge shall be made, and at all Times remain, fourteen Feet broad at the least; and the said Bridge shall be free to all Persons whomsoever; and that no Person shall be subject or liable to the Payment of any Toll or Pontage whatsoever for passing or repassing over the said Bridge, either on Foot, or with Horses, Cattle, or Carriages, or any other Thing whatsoever; and that the Expences attending the building the said Bridge shall be defrayed out of such Money as shall be raised and received by virtue of this Act; and the said Bridge shall at all Times thereafter be repaired, supported, and maintained, by the said Commissioners of Sewers, and the Expences thereof defrayed out of the Scots and Sums of Money hereafter to be raised by them within the said *General Vallies*: Provided always, That the said Commissioners of Sewers shall not make the said Cut, or any Part thereof, in or across the said Road, until such Time as they shall have made and perfected such Bridge, or shall have made or left a convenient Passage for Accommodation of his Majesty's Subjects using the said Road.

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners of Sewers, at their first or any other General Session, or at any Adjournment thereof which shall be holden next after the passing of this Act, and so from Time to Time yearly, or otherwise, during the Term of seven Years, to be computed from the Time of passing of this Act, to assess, rate, tax, and charge, or scot, for the Purpose of doing and executing such Works, Matters, and Things, as are by this Act authorized and directed to be done, all and every the Owner or Owners, and Occupier or Occupiers, or either of them, of all and singular the Lands and Grounds within the said *General Vallies*, which now are, or shall be hereafter, legally scototed to the said *General Vallies* by the said Commissioners of Sewers, in such Rates or Sums of Money as they shall think proper, not exceeding the Sum of two Shillings and Sixpence per Acre, in any one Year, according to the same Rates and Proportions which they now are or hereafter may be scototed to the said *General Vallies*, and not otherwise, and to levy the same; so as the said Occupiers, or any of them, shall not be subject or liable to pay any greater Share or

Free Course of Water to be preserved through the Drain from Lord Dudley's Salt-works.

Commissioners of Sewers may make Use of Part of Mr. Wordsworth's Lands.

Proviso, relating to the rest of Mr. Wordsworth's Lands.

Banks on the South Side the Cut to be the Property of the Owner of the Lands whereon the same shall be made.

Commissioners of Sewers to erect a Bridge across the Road, leading from Sandwich to the Isle of Thanet. Bridge to be free.

Commissioners empowered to make Rates for draining the General Vallies;

not exceeding s. 6d. per Acre in one Year.

Application of
the Rates, &c.

Proportion thereof than the Sum of one Shilling and Sixpence *per* Acre in any one Year: And that the Money arising thereby shall be applied for the several Purposes of this Act, and to no other Use or Purpose whatsoever; the said Owners and Occupiers, during the said Term, for and in respect of their said Lands and Grounds, remaining nevertheless liable to and chargeable with the same Assessments, Rates, Taxes, or Scots, for all other Purposes to which they now are, or, at or immediately before the passing of this Act, were liable to or chargeable with by the Laws in being relating to Sewers; but that, from and after the Expiration of the said Term of seven Years, the respective Owners or Occupiers of such Lands or Grounds shall not be subject to any other Assessments, Rates, Taxes, or Scots, to be made or raised by the said Commissioners of Sewers, than are or shall be authorized to be raised by the Laws relating to Sewers; any Thing in this Act contained to the contrary notwithstanding.

Commissioners
to give Notice of
Rates, and
Times of Pay-
ment.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners of Sewers shall, and they are hereby required, as soon as conveniently may be after the making of any Assessments, Rates, or Taxes, by virtue of this Act, to cause Notice thereof, and also of the Day or Days for paying the same, and of the Place or Places appointed for that Purpose, by publishing such Notice twice in the *Canterbury* Newspaper or Newspapers, or in such other Manner as the said Commissioners of Sewers shall order and direct, so as such Notice shall always be given fourteen Days at least before the Time appointed for Payment of the said Assessments, Rates, Taxes, or Scots: And in case any Person or Persons, who are or shall be liable to and ought to pay such Assessments, Rates, Taxes, or Scots, as aforesaid, shall, without any reasonable Cause, to be approved of by the said Commissioners of Sewers upon Appeal, or otherwise, at their Session of Sewers, or Adjournment of any former Session of Sewers, which shall first happen after fourteen Days from the due Publication of such Assessments, Rates, Taxes, or Scots, neglect or refuse to pay the same, at such Times and Places which shall be appointed for the Payment thereof by the said Commissioners of Sewers as aforesaid; every such Person so neglecting or refusing shall be liable to and shall pay double the Sum of Money so assessed, rated, and taxed, by the said Commissioners of Sewers, upon such Person or Persons, to be raised and levied in such Manner as the single Assessments, Rates, Taxes, or Scots, are herein after directed to be, or by the Laws relating to Sewers may be, raised and levied.

Penalty on Per-
sons neglecting
or refusing to
pay the same.

Occupiers of
Lands to pay the
Rates,

X. And be it further enacted by the Authority aforesaid, That all and every the Tenants and Occupiers of such Lands shall, and are hereby required to pay all and every such Sum or Sums of Money as shall be so assessed, rated, and taxed, or scotted, on the respective Landlords or Owners of such Lands, unto the Person or Persons who shall be appointed by the said Commissioners of Sewers to receive the same, and shall and may deduct and retain out of his, her, or their Rents, all such Sum and Sums of Money as they shall so pay as aforesaid; and the several and respective Landlords or Owners of such Lands are hereby required to allow all such Deductions and Payments upon Receipt of the Residue of their said Rents; and every such Tenant or Occupier, paying such Assessment, Rate, or Tax, shall be acquitted and discharged of so much Money as the said Assessment, Rate, or Tax, which they shall so pay, shall amount to, as fully and effectually as if the same had been actually paid in Part of Rent to his, her, or their Landlord or Landlords; any Lease, Covenant, or Agreement, made before the passing of this Act, to the contrary thereof notwithstanding.

and deduct the
same out of
their Rents.

Certain Tenants
not intitled to
deduct the Rates.

XI. Provided always, and be it further enacted and declared by the Authority aforesaid, That no Lessee or Tenant of any such Lands, charged with the said Rates, Taxes, or Assessments, by the said Commissioners of Sewers, who shall hold the same by virtue of or under any Lease from any Bishop or Collegiate Church or College, or any Ecclesiastical or other Corporation Aggregate or Sole, or by virtue of or under any beneficial Lease, shall be intitled to deduct the said respective Assessments, Rates, or Taxes, or any of them, chargeable by this Act, out of the Rent reserved or made payable by any such Lease; but that the said respective Assessments, Rates, or Taxes, shall be charged upon and paid by the Lessees or Tenants so holding such Lands.

Method of re-
covering the
Rates,

XII. And be it further enacted by the Authority aforesaid, That in case Default shall be made by any Person or Persons assessed, rated, taxed, or scotted, by virtue of this Act, or by any Tenant or Occupier of any Lands, for or on the Behalf of his, her, or their Landlord or Landlords, or the Owner or Owners thereof, so assessed, taxed, or scotted, in his, her, or their respective Payments, on the Day or Days to be appointed for Payment thereof by the said Commissioners of Sewers as aforesaid, it shall and may be lawful to and for the said Commissioners of Sewers, although they shall be Landlords, Owners, or Occupiers of Lands within the said *General Vallies*, by Warrant or Warrants under their Hands and Seals, to authorize and empower any Person or Persons to enter upon the Lands or Grounds so rated and taxed as aforesaid, in the Possession of such Person or Persons who shall make Default in Payment as aforesaid, or into any other Messuages or Tenements, Lands or Hereditaments, in the Possession of such Person or Persons, or any other Messuages or Tenements, Lands or Hereditaments, of the Landlord or Landlords, Owner or Owners, of the Lands or Grounds so rated, taxed, and scotted; and to raise and levy the Sum or Sums of Money so rated, taxed, and scotted upon, or which ought to be paid by, such Person or Persons for such Rate, Tax, or Scot, by Distress and Sale of the Goods, Chattels, and Cattle, which shall be there found; and the Person or Persons making such Distress shall and may deduct and retain to himself all reasonable Charges of taking, keeping, and selling such Distress, out of the Money arising from such Sale; and the Overplus arising from such Sale (if any be) after Payment of the said Sum or Sums so distrained for, and all such Charges as aforesaid, shall be returned on Demand to the Owner or Owners of the Goods, Chattels, and Cattle, which shall be so distrained and sold; and in case any Dispute shall arise touching the Costs and Charges occasioned by such Distress and Sale as aforesaid, the same shall be settled and determined by the said Commissioners of Sewers; and their Determination therein shall be final.

Disputes to be
settled by Com-
missioners.

Commissioners
may distrain for
a single Rate.

XIII. Provided always, That the said Commissioners of Sewers may, if they think fit, order and direct any Distress or Distresses to be made for such Sum or Sums of Money as were originally assessed, rated, taxed,

taxed, or scotted, upon any Person or Persons, for his, her, or their single Assessment, Rate, Tax, or Scot only.

XIV. Provided nevertheless, That in case any Person or Persons shall find him, her, or themselves aggrieved, by any Assessment, Rate, Tax, or Scot, made, charged, or imposed upon him, her, or them, by virtue of this Act, it shall and may be lawful to and for such Person or Persons, giving reasonable Notice to the Expenditor or Expenditors of the Valley or Vallies wherein their said Estates are situate, and other Parties interested, to appeal to the said Commissioners of Sewers, at their Session of Sewers, or Adjournment of any former Session of Sewers, which shall first and next happen after fourteen Days from the due Publication of such Assessment, Rate, Tax, or Scot, who, notwithstanding they shall be Owners or Occupiers of Estates within the said General Vallies, shall finally hear and determine such Appeal; and may, at their Discretion, award and order reasonable Costs to the Party against whom such Appeal shall be determined; to be raised and levied by such Warrant or Warrants, under the Hands and Seals of the said Commissioners of Sewers, in such Manner as is herein before directed for levying the said Assessments, Rates, Taxes, or Scots.

Persons aggrieved may appeal to the Commissioners;

whose Determination shall be final.

Commissioners empowered to borrow 3000 l.

and to assign the Rates as a Security.

Copies of Assignments to be entered in a Book.

Assignments may be transferred.

All Persons advancing Money to be Creditors in equal Degree.

Money borrowed to be paid off in less than seven Years.

Rates to be chargeable with Money borrowed, &c.

XV. And, so far as the Assessments, Rates, Taxes, or Scots, authorised to be made and collected by virtue of this Act, will not be sufficient to defray the immediate Expence of such Works, or on account of which the said Assessments, Rates, Taxes, or Scots, not exceeding two Shillings and Sixpence *per Acre* in any one Year, are herein before directed to be raised, be it further enacted by the Authority aforesaid, That the said Commissioners of Sewers shall and may, and they are hereby authorised and empowered from Time to Time, at any General Session of Sewers (but at no other Time), to borrow and take up any Sum or Sums of Money which they shall think necessary for the making and carrying the said Works into Execution, not exceeding in the Whole the Sum of three thousand Pounds, and by Writing under their Hands and Seals to mortgage or assign the Assessments, Rates, and Taxes, herein before authorised to be made, raised, and received, by virtue of this Act, within the said *General Vallies*, or any Part or Parts thereof, for any Term or Number of Years not exceeding seven Years from the passing of this Act, in such Manner or Form as to the said Commissioners of Sewers shall seem meet, as a Security for all and every Sum or Sums of Money which shall be so borrowed, to such Person or Persons who shall advance and lend the same, his, her, or their Trustee or Trustees, Executors or Administrators, with Interest for the same, not exceeding five Pounds *per Centum per Annum*: And that Copies of all such Mortgages and Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Commission, for which Entry the said Clerk or Clerks shall be paid the Sum of thirteen Shillings and Four-pence, and no more, out of the said Assessments, Rates, or Taxes: And that it shall and may be lawful for all and every Person or Persons to whom any such Mortgage or Assignment shall be made, or who shall be intitled to the Money thereby secured, by Indorsement, on his, her, or their Security or Securities, or otherwise, to assign or transfer his, her, or their Mortgage or Security, and Right to the Principal Money and Interest thereby secured; and that all such Assignments or Transfers shall be notified to the Clerk or Clerks to the said Commission, within three Calendar Months next after the Date thereof; and the said Clerk or Clerks shall cause an Entry or Memorial thereof to be made, containing the Date of the Assignment or Transfer, the Names of the Parties thereto, and the Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books to be kept for entering the original Mortgages or Assignments, for which he or they shall be paid the Sum of three Shillings and Four-pence out of the Assessments, Rates, or Taxes, and no more; and after such Entries shall be made, such Assignment or Transfer shall intitle such Assignees to the Benefit thereof, and Payment thereon; and every such Assignee, his or her Executors or Administrators, may in like Manner, from Time to Time, assign or transfer his, her, or their Right and Interest therein and thereto; and that all and every Person and Persons to whom any such Mortgage, Assignment, or Transfer, shall be made as aforesaid, or shall legally come, shall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the said Assessments, Rates, and Taxes, in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing any such Money; and all Money so borrowed shall be applied for the several Purposes for which the said Assessments, Rates, and Taxes, or Scots, not exceeding two Shillings and Sixpence *per Acre* in any one Year, are herein before directed to be raised, and to and for no other Use or Purpose whatsoever.

XVI. Provided always, and be it further enacted, That the said Commissioners of Sewers shall, and they are hereby required to pay off and discharge the said Sum or Sums of Money to be borrowed as aforesaid, together with all Interest due for the same, before the Expiration of the said Term of seven Years for which the said Assessments, Rates, or Taxes, are to be raised, for discharging and paying off the same; and if at the End of the said Term of seven Years there shall remain any Surplus of the said Assessments, Rates, or Taxes, the same shall be applied for draining and improving the Lands within the said *General Vallies*, in such Manner as the said Commissioners of Sewers shall think fit, and for no other Use or Purpose whatsoever.

XVII. And be it further enacted, That the said Assessments, Rates, and Taxes, to be assessed and raised by virtue of this Act within the said *General Vallies*, shall be charged and chargeable in Manner before mentioned with the Payment of such Sum or Sums of Money so to be borrowed as aforesaid, and the Interest thereof; and (upon Default of Payment of such Principal Money and Interest) shall vest in the respective Creditors, until the same shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors respectively, their Executors, Administrators, and Assigns, shall, by virtue of this Act, have the same Powers, Rights, and Privileges, of raising and recovering the said Assessments, Rates, and Taxes, from the Owners and Occupiers of the said Lands and Grounds, for or in respect of such Principal Money and Interest (if Default shall be made in Payment thereof) as the said Commissioners of Sewers, or their Receiver or Receivers, Expenditor or

Expenditors, Collector or Collectors, would have had in case the said Principal Money and Interest had been regularly paid and satisfied.

XVIII. And be it further enacted by the Authority aforesaid, That the said Commissioners of Sewers shall, and they are hereby authorized and required forthwith to cause to be placed, and always to be continued, in the said River *Stour*, within ten Yards of the upper End of the said Cut or Drain, a Standard-mark, which shall be at the Height of nine Feet above the present Bed of the River, in the Middle of the Channel thereof, taken at a Medium of ten Yards above and ten Yards below the Mouth or upper End of the said Cut or Drain; and that none of the Flood-gates, within the said Cut or Drain, shall, at any Time, be drawn up or opened, until the Water in the River *Stour* shall have risen over the Top of the said Standard; and that whenever the Water in the said River *Stour* shall be at or above that Height, the said Floodgates, or any one or more of them, may be opened at one Hour at the soonest after High-water at the lower End of the said Cut or Drain next the Haven; and the said Floodgates, or any of them, so opened, shall and may be so kept open for the Space of five Hours then next ensuing, and no longer, and so from Time to Time during each Ebb Tide whenever the Surface of the Water in the said River *Stour* shall be so above the said Standard-mark.

XIX. Provided always, and be it further enacted by the Authority aforesaid, That, at all Times hereafter, if, at the End of seven Hours, to be reckoned from the Time of High-water at the Mouth of the said Cut or Drain next the said Haven, the Water in the said River *Stour* shall then be above the said Standard-mark, all or any of the said Floodgates shall and may be opened and drawn up at the then next Tide at the End of one Hour after High-water at the End of the said Cut or Drain next the Haven, and the said Floodgates shall and may be kept open and drawn up as aforesaid for the Space of five Hours then next following, and so from Time to Time the said Floodgates shall and may be opened and drawn up whenever the Water in the said River shall be above the said Standard-mark as aforesaid; any Thing herein contained to the contrary hereof in any-wise notwithstanding.

XX. And be it further enacted, That as soon as the said Cut or Drain shall be made, and the said Floodgates finished and put down as aforesaid, the said Commissioners of Sewers shall, and they are hereby required to appoint a proper Person to have the Direction and Management of the said Floodgates, and from Time to Time to remove or discharge such Person, and appoint another in his Stead; and shall order and direct such Person to take particular Care not to draw up, or to suffer the said Floodgates to be drawn up, until the Surface of the Water in the said River *Stour*, opposite the said Standard-mark, shall have arisen above the said Standard-mark directed to be placed in the said River as aforesaid; and the said Commissioners of Sewers shall allow the Person, so to be appointed, such Salary for his Attendance and Trouble in his Office as they shall think fit: And if the Person appointed to have the Direction and Management of the said Floodgates, or any other Person or Persons whomsoever, shall draw up or open the said Floodgates, or any or either of them, at any other Time or Times than herein before is directed, or shall keep them drawn up or opened longer than the Time herein before above prescribed, every such Person shall, for every such Offence, being duly convicted thereof by the Oath of one or more Witnesses or Witnesses, before any one or more Justice or Justices of the Peace for the said County of *Kent*, forfeit and pay any Sum or Sums of Money not exceeding the Sum of five Pounds, as such Justice or Justices shall determine; and in case such Penalty shall not be immediately paid down on Demand, it shall and may be lawful to and for such Justice or Justices to commit every such Offender or Offenders to the House of Correction for the Eastern Parts of the said County of *Kent*, for any Time not exceeding the Space of three Months from the Time of such Conviction, or until such Penalty or Penalties as aforesaid shall be paid; which Penalty or Penalties, when recovered, shall be paid to the General Expenditor of the said Commissioners, to be by him employed in such Manner as the said Commissioners of Sewers shall order and direct: Provided nevertheless, That if the said Commissioners of Sewers shall make the said Cut or Drain at any other Place than at or near the Salt-works at *Stonar* aforesaid, such Standard-mark shall be placed down in the said River *Stour* above the said Cut, at the same Medium, and in such Manner, as it would have been if such Medium had been taken at ten Yards above and ten Yards below the Place where the said Cut is now intended to be made at or near the Salt-works at *Stonar* aforesaid.

XXI. And, in order to keep the Channel at the Mouth of the said Cut or Drain free and open, be it further enacted, That if any Ship or Vessel, or other Nuisance or Obstruction, shall be placed, moored, or laid, in the said Cut or Drain, or in *Sandwich-haven*, at the Mouth or Entrance of the said Cut or Drain, or within ten Yards below the same, or, being so placed, moored, or laid, shall not be immediately removed, on Notice to be given by any Person or Persons appointed by the said Commissioners of Sewers for that Purpose; every Person having the Command of any such Ship or Vessel, and every other Person placing or continuing such Nuisance or Obstruction at the Mouth or Entrance of the said Cut or Drain, or within ten Yards below the same, after such Notice shall have been given to him or them to remove the same, shall, for every such Offence, forfeit and pay any Sum or Sums of Money not exceeding the Sum of twenty Pounds for every such Offence, to be paid, applied, and disposed of, as the said Commissioners of Sewers shall order and direct.

XXII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall, at any Time or Times hereafter, unlawfully and wilfully or maliciously cut, throw down, burn, or otherwise destroy, any Mill, Building, Sluice, Engine, or Floodgate, making and erecting, or to be made or erected, in pursuance of this Act, for the draining and improving of any of the Lands and Grounds within the said *General Vallies*, or the Bridge herein before directed to be built over the Cut or Drain intended to be made at or near the Salt-works at *Stonar* aforesaid, and shall be thereof lawfully convicted, shall be guilty of Felony, and shall be liable to be transported as a Felon, for any Time not exceeding seven Years; but the Court, before whom such Person or Persons shall be convicted, may, in Mitigation of such Punishment, if they shall think fit, award such Sentence as the Law directs in Cases of

Petit

Regulations to prevent prejudicing Sandwich haven.

When the Floodgates may be opened.

Commissioners to appoint a Person to manage the Floodgates, &c.

Penalty on Persons drawing up Floodgates, &c. contrary to this Act.

Proviso.

Penalty on causing Obstructions near the Mouth of the Drain.

Penalty on Persons wilfully destroying the Works.

Petit Larceny; and if any Person or Persons shall dig or make any Pond or Watering place in any of the said Lands and Grounds, within the Distance of fifty Feet of the said intended Cut or Drain at or near the Salt-works at *Stonar* aforesaid, otherwise than in pursuance of the Powers of this Act, or shall wilfully stop, dam up, spoil, or damage, the intended Cut or Drain to be made at or near the Salt works at *Stonar*, or the said Standard-mark, or any Dam, Heading, Bridge, Tunnel, or other Work, which shall be making or erecting, or made or erected, for draining or improving the Lands and Grounds within the said *General Vallies* in pursuance of this Act, or shall unlawfully, wantonly, or maliciously pull up or let down all, any, or either of the Floodgates to be made and put down within the said intended Cut or Drain; all and every Person and Persons offending in all, any, or either of the Cases aforesaid, and being thereof convicted before one or more of his Majesty's Justices of the Peace for the said County of *Kent*, or Mayor and Jurats of the Town and Port of *Sandwich*, or any one of them, for Crimes or Offences committed within their respective Jurisdiction, on the Oath of one or more credible Witnesses or Witnessess, or on the Confession of the Party or Parties so offending, shall forfeit and pay to the said Commissioners of Sewers any Sum of Money not exceeding ten Pounds, nor less than forty Shillings, as the said Justice or Justices, Mayor or Jurats, shall respectively adjudge and order; and the same shall be applied for such Purposes as the said Commissioners of Sewers shall order and direct: And in case the same shall not be forthwith paid on Demand, or sufficient Security given for the Payment thereof, such Justice or Justices, Mayor or Jurats, shall commit such Offender or Offenders to the House of Correction for the Eastern Parts of the said County of *Kent*, or to the Common Gaol of *Sandwich*, for any Time not exceeding six Calendar Months, or until such Penalty shall be paid.

If Penalties not paid on Demand, &c. Offenders to be committed.

XXIII. Provided always, and be it further enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to authorise or empower the said Commissioners of Sewers to assess, rate, tax, or scot, any Lands, Tenements, Hereditaments, or Premises, which they were not authorised or empowered to assess, rate, tax, or scot, by the general Laws of Sewers before the passing of this Act, or to give any further or other Powers or Authorities to the said Commissioners of Sewers than such as are and are by this Act meant and intended to be given to them for draining and improving the several Lands and Grounds as aforesaid within the said *General Vallies* by the Cut and other Works authorised to be made, erected, or done, by virtue of this Act, and for building the said Bridge over the intended Cut or Drain as aforesaid, and for keeping the same from Time to Time in Repair.

This Act not to give the Commissioners any further Power than for draining the *General Vallies*.

XXIV. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, by this Act imposed or inflicted, the Manner of Recovery whereof is not herein before particularly directed, shall be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of the said Commissioners of Sewers, who are hereby authorised and empowered from Time to Time to issue all such Warrants as shall be necessary for the Purposes aforesaid: And in case sufficient Distress shall not be found, it shall be lawful for the said Commissioners of Sewers, by Warrant under their Hands and Seals, to commit such Offender or Offenders to the House of Correction for the Eastern Parts of the said County of *Kent*, or Common Gaol of the said County, there to remain, without Bail or Mainprize, for any Time not exceeding six Calendar Months, or until the said Penalty shall be paid or compounded for; which Composition the said Commissioners of Sewers are hereby empowered to make and receive: And that all such Fines, Penalties, and Forfeitures, and all Composition-moneys for the same, shall be paid into the Hands of the Expenditor or Expenditors of the Valley or Vallies where the same shall arise or happen, to be by him applied towards casting, cleansing, or draining, the Lands or Grounds within the same Valley or Vallies, or in such other Manner as the said Commissioners of Sewers shall order, direct, and appoint, agreeable to the Purposes of this Act.

Penalties and Forfeitures how to be recovered, and applied.

XXV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be raised or levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage, in an Action upon the Case: But that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made, by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he or they shall see fit, whereupon such Proceedings, or Orders, and Judgment, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Distress not to be deemed unlawful for Want of Form, &c.

Plaintiff not to recover, after Tender of Amends hath been made.

XXVI. And be it further enacted, That all Persons who shall think themselves aggrieved by any Order, Judgment, or other Proceeding, of any Justice or Justices of the Peace acting in the Execution of this Act, may appeal to the Justices of the Peace at the next General or Quarter Session of the Peace to be holden for the Eastern Parts of the said County of *Kent*; or in case any such Complaint shall happen within ten Days of any General or Quarter Session, then at the second General or Quarter Sessions after the Cause of such Complaint shall have arisen; the Person or Persons so appealing first entering into a Recognizance, with two sufficient Sureties, to the Satisfaction of some Justice of the Peace, to prosecute such Appeal with Effect, and pay the Costs which shall be ascertained by the said Justices in their said General or Quarter Session, in case such Order or Judgment shall be affirmed; and the said Justices, in their General or Quarter Sessions, are hereby authorised and required to take Cognizance of all such Appeals.

Persons aggrieved may appeal to the Quarter Sessions;

- whole Determination shall be final.
- Writings to be without Stamps.
- Expences of this Act how to be paid.
- Limitation of Actions.
- General Issue.
- Treble Costs.
- The Rate of 2 s. 6 d. per Acre, to be assessed for seven Years only.
- Saving the Rights of the Commissioners of Sewers.
- Saving the Rights of the Mayor, &c. of Sandwich in the Haven and Harbour of Sandwich.
- Public Act.
- Appeals, and to hear and determine the same, and give such Costs to either Party as they shall think reasonable, and to make such further Order therein as to them shall appear just; and their Determination therein shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ of *Certiorari*, or otherwise, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere; but no Order or other Proceeding of any Justice or Justices of the Peace, had or made by virtue of this Act, shall be quashed or vacated for Want of Form only.
- XXVII. And be it further enacted, That no Mortgage, Assignment, or other Security for the borrowing of Money, nor any Order, Nomination, Appointment, Contract, Agreement, Information, Conviction, Judgment, Warrant, or any other Writing whatsoever, under the Hand and Seal or Hands and Seals of the said Commissioners of Sewers, or of any Justice or Justices of the Peace, nor the Transfer of any Mortgage or Security, nor any Bond taken from any Officer or his Sureties for the due Execution of his Office, nor any other Writing whatsoever, concerning the Execution of this Act, shall be charged with any Stamp-duty.
- XXVIII. And be it further enacted, That all the Charges and Expences attending the obtaining and passing this Act, and all Charges and Expences already incurred, or to be incurred, for or on account thereof, shall be paid by the said Commissioners of Sewers out of the first Monies which shall be raised or received by them by virtue of this Act.
- XXIX. And be it further enacted, That if any Action or Suit or Information shall be commenced or prosecuted against any Person or Persons for any Thing to be done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards; and shall be laid and brought in the said County of *Kent*, and not elsewhere: and the Defendant or Defendants in all such Actions and Suits shall and may plead the General Issue; and if in Replevin, justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and shall and may, at any Trial to be had thereupon, give this Act and the Special Matter in Evidence, and that the same was done in pursuance of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be commenced after the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his, her, or their Action or Actions, Suit or Suits, or if a Verdict shall pass upon Demurrer, or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, and have the like Remedy for the same as in other Cases where Costs are awarded by Law.
- XXX. And be it further enacted by the Authority aforesaid, That, from and after the Term of seven Years, to be computed from the Time of passing this Act, so much of this Act as authorises and impowers the said Commissioners of Sewers to assess, rate, tax, and scot, the Owners and Occupiers of Lands and Grounds within the said *General Vallies* in any Sum or Sums of Money not exceeding the Sum of two Shillings and Sixpence *per Acre* in any one Year as aforesaid, shall cease, determine, and be absolutely void: Provided nevertheless, That all the other Powers and Authorities hereby given, and all Penalties, Forfeitures, Punishments, Matters, and Things, contained in this Act, shall at all Times thereafter be and remain in full Force and Effect.
- XXXI. Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, lessen, alter, or take away any of the former or other Rights, Privileges, Powers, or Authorities, of the said Commissioners of Sewers within the Limits of their Commission, by virtue of the general Laws relating to Sewers; but that the same shall remain, continue, and be in as full Force and Effect as if this Act had never been made.
- XXXII. Provided also, and it is hereby declared and enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, Interest, or Jurisdiction, of the Mayor, Jurats, and Commonalty of *Sandwich* for the Time being, every or any of them, of, in, to, or over, the Haven and Harbour of *Sandwich*; but that the said Mayor, Jurats, and Commonalty, and their Successors, and every of them, shall and may, from Time to Time, and at all Times hereafter, have, hold, and enjoy, all Royalties, Rights, Titles, Interests, Privileges, and Jurisdictions, in, to, and over, the said Haven and Harbour of *Sandwich*, or incident, appendant, belonging, or appertaining thereto, in as full, ample, and beneficial Manner, to all Intents and Purposes, as they, every, any or either of them, had, held, or enjoyed, or ought to have held and enjoyed, before the passing this Act, or in case this Act had not been made; any Thing herein contained to the contrary notwithstanding: Provided always, That nothing herein before contained shall extend, or be construed to extend, to interrupt or hinder the Execution of this Act.
- XXXIII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act; and all Judges, Justices, Sheriffs, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

C A P. LXIII.

An Act for widening and improving several Streets in the Town of *Manchester*; and for opening new Streets or Passages within the said Town.

C A P. LXIV.

An Act for draining, embanking, and preserving, certain Fen Lands and Low Grounds called *The Parts and Alderlots*, in the Parishes of *Glatton* and *Holme*, in the County of *Huntingdon*.

“ Boundary

“ Boundary of the *Alderlots*. Boundary of the *Parts*. Commissioners appointed. Owners of more than two *Parts* or *Alderlots* may appoint a Deputy for every two over and above. First Meeting of Commissioners. Annual Meetings to be held. Owners of Lands to be assessed 20 s. an Acre every Year for the first four Years. Application of the Money. Tax payable half-yearly. Owners may pay the Tax for four Years at one Payment, &c. Tenants for Life may borrow Money for paying the Taxes; and mortgage the Lands for Security. After the first four Years, Rates not to exceed 6 s. an Acre. Application of the Rates. Commissioners empowered, when the Rates shall be reduced to 6 s. an Acre, to borrow 800 l.; and to assign the Rates as a Security. The Rate of 6 s. an Acre, to be continued as long as any Money shall be owing. Mortgages or Assignments to be numbered. Mortgages may be transferred. Tax of 6 s. an Acre to be chargeable with the Payment of Money borrowed, &c. No Money to be borrowed, unless five Commissioners present, &c. Expences of this Act how to be paid. Method of recovering Rates. If Owners of Goods distrained do not replevy them within five Days, they may be appraised and sold. Tenants to pay the Rates, and deduct the same out of their Rent. If Taxes are not paid within 30 Days after Demand, Defaulters to forfeit 2 d. for every Shilling in Arrear, &c. Commissioners may take Earth from adjoining Lands, to make and maintain Banks, &c. Commissioners may make or erect Drains, Mills, Bridges, &c. making Satisfaction for Damages. If Parties cannot agree on the Sum, Quarter Sessions to determine the same. Commissioners may alter Banks. Mills may be erected, &c. Mr. *Dawes* and Mr. *Wright*, &c. to be repaid what Money they have advanced. No Tax to be paid for High Lands. Method of determining what are High Lands. Owners of Land within the *Alderlots* having no Mill, to drain by the Mills of the adjoining Lands, &c. Penalty on damaging Banks, Mills, &c. Penalty on damaging Drains, Watercourses, Bridges, &c. Penalty on carelessly setting fire to Banks in burning Fen Lands. Penalty on cutting Turfs within a certain Distance from the Banks; or making Watering-places, or Soak-dykes, &c. Forfeitures to be paid to the Treasurer, or levied by Distress, &c. No Buildings, &c. to be erected, or Trees planted, within a certain Distance from the Banks. Penalties. Penalty on neglecting to scour Dykes, and to make them of proper Depths, &c. Penalty on digging Turf, without having purchased off the Taxes, &c. Mills and Engines to be insured against Fire. Commissioners may appoint Officers; and allow them Salaries. Officers to give Security. Inspection to be had annually of Receipts and Disbursements. Treasurer, &c. to attend with proper Accounts. Accounts, when passed, to be entered in two Books, &c. Officers to account upon Oath. If Officers refuse to account or to deliver Books, &c. they may be committed. Proceedings to be entered in a Book, &c. No Order to be reversed, unless a Majority consent thereto, &c. Commissioners who are Justices may act as such except where they shall be interested. Five Commissioners may hold a Meeting, &c. Proceedings not to be removed by *Certiorari*, &c. Where Plaintiff recovers, to be paid full Costs. Plaintiff shall not recover after Tender of Amends has been made. Penalties and Forfeitures how to be recovered and applied. Persons aggrieved may appeal to the Quarter Sessions; whose Determination shall be final. Proceedings not to be quashed for want of Form. Actions may be brought in the Names of the Commissioners, or their Treasurer, &c. Writings exempted from Stamp Duties. Five Commissioners, where no particular Number is appointed, may execute this Act. Penalty on Persons acting as Commissioners not being qualified. Three Days Notice to be given of Meetings. How Justices to proceed for Conviction of Offenders. Rights of the Corporation of *Bedford Level*, reserved. General Saving of Rights, except with respect to imbanking, &c.”

C A P. LXV.

An Act for making the River *Soar* navigable, from the River *Trent* to *Bishop's Meadow* within the Liberty of *Garenton*, in the County of *Leicester*; and for making and maintaining a navigable Cut or Canal from thence, near or up, and into *The Rushes*, at *Laugborough*, in the said County.

“ Former Act, 6 Geo. III. c. 94, recited. Former Act, in Part, repealed. Names of the Undertakers for making the Navigation; who are united into a Company, and incorporated. Company may purchase Lands. General Powers of the Company: They may make new Trenches, &c.; build Dams, Locks, Bridges, &c.; make or alter Ways and Passages; dig Clay, Gravel, &c.; make Towing-paths, Banks, &c.; and contract with any Persons for necessary Works in the Execution of this Act. Powers of the former Act extended to this Act, except where repealed, &c. Company to provide Watering-places for Cattle; and to make Arches, Drains, &c. where necessary. Lands may be entered to take Surveys, &c. making Satisfaction for Damages. Bodies Politic, &c. empowered to sell and convey Lands, &c. Where Lands are separated, so as to render Occupation inconvenient, the Remainder may be sold or exchanged, with Consent of the Commissioners. Bodies Politic, &c. indemnified for what they shall do by virtue of this Act. Contracts to be inrolled with the Clerk of the Peace. Copyhold Rights to be preserved. Commissioners appointed; who are to determine all Differences between Company of Proprietors, and Owners of Lands, Mills, &c. In case Parties refuse to submit to the Determination of the Commissioners, or shall be dissatisfied therewith, &c. the Commissioners shall cause the Matters to be inquired into by a Jury. Jurymen may be challenged, and Witnesses examined. Jury to ascertain the Sums to be paid for Lands, &c. Value of Lands, &c. and Damages sustained, to be separated in Verdicts. Company to proceed with the Canal, where Land-owners refuse the Recompence offered; who may apply to Commissioners, &c. Penalty on Sheriff, Coroner, &c. for Neglect of Duty. The Expence of Jury, &c. by whom to be borne. Persons requesting a Jury, to enter into Bond to prosecute. Commissioners not obliged to take Notice of Complaints till Application has been made to the Company, &c. Penalty on Persons giving false Evidence. On Payment or Tender of Purchase-money, or Compensation, Premises to be vested in the Company; and may be immediately used for the Navigation.”

"gation. Determinations and Verdicts to be inrolled with the Clerk of the Peace; and deemed Records; and thereupon all Estate, Interest, &c. to be vested in the Company. Money paid to Corporations to be laid out by them in Purchase of other Estates; and in the mean Time to be placed out at Interest. Commissioners to settle the Proportions of Money to be paid to the Tenants, &c. On Default of Payment by the Company, Half the Duties to be liable; or the Money may be recovered at Law. In case Damages and Costs be not paid out of the Rates; the Effects of the Company to be liable. If Rents and Sums of Money shall not be paid, Half the Rates to be liable; or Company may be sued at Law, &c. Penalty on Persons maliciously damaging the Works. Penalty for obstructing the Works. Lands, &c. purchased in pursuance of this Act vested in the Company. Monies, Materials, &c. vested in the Company. Company may raise 7,000*l.* amongst themselves for making the Navigation. Application of the Money. The Money subscribed to be divided into 70 Shares; which shall be deemed personal Estate. Proprietors to have a Vote for each Share, by Self or Proxy, as far as Seven Shares. If the aforesaid Sum be not sufficient, 3,000*l.* more may be subscribed; or Company may borrow the same, and assign the Navigation, &c. as a Security. Assignments to be entered in a Book. Assignments may be transferred. Transfers to be entered by the Clerk. Subscribers to be paid Interest-money in Preference to Dividends. Assignments to be considered as real Securities. Assignments not to confer the Right of voting. Interest of Money borrowed to be paid yearly; on Failure whereof Commissioners to appoint a Receiver of the Rates, &c. First General Assembly of Proprietors. A Committee to be chosen, to manage the Affairs of the Company for a Year, &c. Committee to be under the Controul of General Assembly. Ten Proprietors may call an occasional General Meeting. The Committee to audit all Accounts of Disbursements: and to make Calls on the Proprietors; which shall be applied by the Committee. How the First Call may be recovered. Forfeitures on neglecting future Calls. No Advantage to be taken of Forfeitures, till declared at a General Assembly. Company may remove Committee-men, &c.; and make new Rules, Bye-laws, &c. Rules, Bye-laws, &c. under Seal of the Company, to be binding on all Parties. Provision for Payment of Calls on Shares of Persons who are dead or incapacitated. In case the deceased Owner does not leave Assets, other Persons may be admitted; paying to the Representatives the Sums theretofore advanced; or otherwise Company may sell the Share for the Benefit of the Representatives. Proprietors may sell their Shares. The Method of Sale, &c. Purchasers of Shares not entitled to vote, till they have been Proprietors six Months. Exception. Shares may be transferred. No Person to sell after Call made, till the Call is paid in. List of Names and Places of Abode of Proprietors to be kept; for Inspection of Proprietors. The Clerk of the Company to attend Meetings of Commissioners, and enter their Proceedings in Books; which shall be admitted as Evidence. Books, &c. to be locked up in Boxes, and kept where the Company direct. If Commissioners disapprove of the Clerk, Company to appoint another, &c. Rates of Tonnage. Rates may be sued for; or Goods or Vessels seized and detained, &c. Masters of Vessels to give Account of their Lading. Penalty on Refusal, or giving false Account. All Persons may use the private Roads made by the Company, except Towing paths; also the Navigation, Wharfs, &c. on certain Conditions. The Company to set up Gates, Bridges, &c. If Fords spoiled, the Company to provide other Methods of Passage. In case any of the Works are damaged by Floods, the Company to repair the same immediately, &c. without any previous Treaty with Land-owners, on Account of Damage; making Compensation afterwards. Lords of Manors, or Land-owners, may provide Wharfs, &c. on their own Lands. Rate of Wharfage to be taken by Land-owners. Names of the Owners of Vessels to be painted thereon. Vessels to be measured by the Company and marked. Penalty on Owners for Refusal or Neglect. Commissioners to ascertain Distances for mooring Vessels. Millers, on receiving proper Notice, &c. are to draw up or shut down Cloughs when necessary for making the said Navigation, &c. or for the Passage of any Vessel; on Penalty of 20*l.* Penalty on making Obstructions by placing Vessels. Vessels sunk to be weighed up forthwith. Penalty on floating Timber, or improperly loading Vessels. Commissioners not to act where interested. Commissioners not to hold Places of Profit, or be otherwise interested in the Navigation. On Application of the Company, or Owners of Lands, &c. any three Commissioners may appoint a General Meeting. Commissioners may adjourn. All Meetings to be public, and Questions determined by a Majority. Three Commissioners may summon special Meetings upon Request, for ascertaining Damages. No Meeting effectual, unless previous Notice given of the Time, Place, and Business to be done. Meetings of Commissioners to settle Controversies to be held at *Loughborough*. Penalties and Forfeitures how to be recovered. Distress not to be deemed unlawful for Want of Form. Damages done in getting Materials, &c. to be paid for as soon as may be after finishing the Works. When purchased Lands are mortgaged, Company may pay the Mortgage off, with Part of the Purchase-money; Mortgagee to give a Receipt for the same."

C A P. LXVI.

An Act for making and maintaining a navigable Canal, within and from certain Lands, belonging to *Thomas Talbot Foley* Esquire, in the Parish of *Dudley*, in the County of *Worcester*, to join and communicate with the *Stourbridge* Navigation, at a Place called *Black Delph*, upon *Pensnet-chace*, in the Parish of *Kingwinford*, in the County of *Stafford*.

"Proprietors incorporated; and impowered to make a navigable Canal. Line of Canal described. Reservoirs to be made, and Fire-engines erected. General Powers of the Proprietors. Proprietors to do as little Damage as may be, and to make Satisfaction for the same. Canal, &c. not to be extended within a Mile of the *Birmingham* Canal Navigation, &c. Reservoirs not to be made in certain Places. Certain Waters not to be diverted for the Use of the Canal. Proprietors not to make use of any Water

" belonging to *Birmingham Canal Navigation*. Certain Waters that may be taken. Proprietors to erect
 " a Flood Weir for conveying superfluous Water to the *New Pool*. Breadth of Canal, &c. restricted,
 " Proprietors may take Water from Mines; and make Reservoirs, Trenches, &c. Owners of Fire-
 " engines, &c. to lift their Water into the Canal; the additional Expence whereof to be defrayed by
 " the Company. Penalty on Owners of Fire-engines refusing or neglecting, after proper Notice. Bodies
 " Politic, &c. impowered to sell and convey Lands. Where Lands shall be separated into small Parcels
 " by making the Canal, Bodies Politic, &c. may sell the same. Bodies Politic, &c. indemnified for
 " what they shall do by virtue of this Act. Contracts, &c. to be inrolled by the Clerks of the Peace, and
 " admitted as Evidence. Commissioners appointed. Commissioners Powers. If the Company of Pro-
 " prietors, or Persons interested in Lands, &c. shall refuse to submit to the Determination of Commis-
 " sioners, or shall be dissatisfied with the same, &c. a Jury to be impanelled. Jurymen may be chal-
 " lenged, and Witnesses examined. Verdict of Jury, and Judgment of Commissioners, shall be binding
 " on all Persons. Sheriff or Coroner making Default, to forfeit 20 *l.* and Jurymen or Witnesses, 5 *l.*
 " Expences of Juries by whom to be paid. Persons requesting Juries to enter into Bond to prosecute, &c.
 " Application relating to Damages to be made to Proprietors before Complaint to Commissioners. Penalty
 " on giving false Evidence. Upon Payment or Tender of Monies agreed on, &c. Proprietors to enter on
 " Lands, &c. and make Canal. Verdicts, Judgments, &c. to be transmitted to the Clerk of the
 " Peace, and allowed good Evidence. On Payment of Money, and Entry of Verdicts, &c. Lands and
 " Tenements to be vested in the Company of Proprietors Purchase-monies to be paid to Bodies Politic,
 " &c. to be laid out to the same Uses; and, till such Purchases shall be made, to be placed out at Interest.
 " Commissioners to settle Proportion of Money to be paid to Persons interested. In Default of Payment
 " of Damages, how they may be recovered. If Costs and Damages not paid within four Months,
 " to be levied by Distress. Proceedings of Commissioners to be entered in a Book. Commissioners may
 " appoint a Clerk. Penalty on Persons damaging or destroying the Works. Proprietors may raise
 " 7,000 *l.* Application thereof. Money when raised to be divided into 70 Shares; which shall be deemed
 " personal Estate. No one Person to have more than five Shares. Subscribers to be paid 5 *per Cent.* till
 " the Works are completed. Subscribers to have a Vote for each Share, either in Person or by Proxy.
 " Proprietors may raise a farther Sum of 5000 *l.* if necessary. New Subscribers to be equally interested
 " with the original ones. At what Times General Assemblies are to be held. At first Meeting a Com-
 " mittee of nine Proprietors to be chosen. Any five Proprietors may call a special Meeting. Committee
 " subject to Controul of General Assembly, &c. Company's Officers not to serve on Committees. Books
 " of Account to be kept, &c. If any General Assembly consists of less than 23 Shares, a new one to
 " meet on that Day 3 Weeks. Penalties on Absentees from second Meeting. Power of General Assem-
 " blies and Committees. Owners of Shares to pay their Proportions of Money called for, on Penalty of
 " 5 *l.* for every 100 *l.* and if not paid within 2 Months, Shares to be forfeited. Shares not to be forfeited
 " without personal Notice, &c. Treasurer to give Security. Security to be inrolled with the Clerk of
 " the Peace, &c. General Assemblies may remove Committee Men, and Officers, and make Bye-laws.
 " Offenders against Bye-laws, &c. may be fined not exceeding 5 *l.* In case of Death of Subscriber, Ex-
 " ecutors, &c. may answer Calls, or in Default, Shares may be disposed of. Purchasers to pay Execu-
 " tors, &c. the Sums paid by deceased Owners. Proprietors may sell their Shares: Mode of doing it.
 " No Sale of Shares pending Calls. Proprietors to appoint a Clerk; who shall, in a Book, enter the
 " Names and Places of Abode of Proprietors, &c. who may inspect the same, at all convenient Times,
 " gratis. Penalty on Clerk for Refusal. Proprietors impowered to take Rates, not exceeding 6 *d.* per
 " Ton. If Rates not paid on Demand, Company may sue for the same; or Persons appointed to receive
 " them may distrain Vessel or Goods. Further Rates to be taken in certain Cases. Certain Things ex-
 " empted from the Rates; provided they do not pass through any Lock when the Water does not flow
 " over the Lock-weir. Persons damaging the Canal, to make Satisfaction for the same. Proprietors may
 " alter Rates from Time to Time. No Reduction of the Rates to take Place without Consent of the
 " Commissioners. Masters of Boats, &c. to give an Account in Writing to the Collectors of Goods on
 " Board. Penalty on not giving a true Account, &c. What to be deemed a Ton of Timber, &c. Col-
 " lectors may weigh or measure Goods. Who to pay the Expences of weighing, &c. Navigation to be
 " free on Payment of Tolls. Proviso, relating to small Vessels. Owners of adjoining Lands may use
 " Pleasure-boats. Company to make Drains, &c. for Lands adjoining; and Watering-places for Cattle.
 " If Company neglect, after a Month's Notice, to make or cleanse Arches, Drains, &c. Occupiers of
 " Lands may do it; who shall be reimbursed by the Company. Towing-paths to be fenced from the ad-
 " joining Lands. Company not to make the Canal, or any Trench, &c. across any Highway, till they
 " have made proper Bridges, Arches, &c. If Company neglect, for 3 Months after the Time appointed
 " by the Commissioners, to separate the Towing-paths, or to erect Gates, Bridges, &c. Occupiers of
 " adjacent Lands may do it; who shall be reimbursed by the Company. If Company make Default in
 " Payment, the Charge to be levied by Distress, &c. In case of Company's Failure to repair Rails,
 " Hedges, &c. Land-owners may do it; and may recover the Charges as before mentioned. Coals, &c.
 " to be found in digging the Canal, may be taken by Proprietors of Lands. Soughs may be made to
 " drain Mines, &c. Proprietors of Mines, &c. not to dig under any Tunnel, or within 20 Yards there-
 " of, without Consent of Proprietors; nor to dig for Coal, Lime-stone, &c. within 12 Yards of the Ca-
 " nal, or Reservoirs. Method of working Mines under Canal, &c. Method of discovering when Mines
 " are working contrary to this Act. How the Company to proceed in such Case. Owners of Mines
 " lying under the Canal, &c. being desirous of working the same, must apply to the Company for their
 " Permission; who, if they refuse, must make Compensation to the Owners. If Parties cannot agree,
 " Commissioners or Jury to settle the Dispute. Owners of Coal-mines, &c. within 1,000 Yards of the
 " Canal, may make Railways for conveying their Coals, &c. to the Canal, making Satisfaction for Da-
 "

" mages. If Owners of Lands and Proprietors of Mines cannot agree, Commissioners to settle the Differ-
 " ence. Determination of the Commissioners subject to the Verdict of a Jury. Owners of Mines may
 " make Cuts into the Canal, through their own Lands, under certain Restrictions. Lowermost Lock on
 " Canal, not to be of less Fall than 10 Feet. Owners of Land may erect Gates, Bridges, &c. Com-
 " pany restrained from erecting or taking down Buildings, &c. except such as shall be on the Lands set
 " out for the Navigation. Lords of Manors, or Land-owners, may erect Cranes, Warehouses, &c. on
 " their own Land; and receive the Rates that shall be paid for the same. If Lords of Manors, &c. ne-
 " glect to make such Erections, &c. for 12 Months after receiving proper Notice, Proprietors may do it,
 " making Satisfaction for the same. Rates for Wharfage. Company may erect Cranes and Weighing-
 " machines on any Wharf, if Owners refuse to erect the same. Weight of the Lading of Vessels to be
 " marked, and their Numbers affixed on the Sides thereof, on Penalty of 40s. Owners of Boats, &c.
 " shall put their Names on the Outsides thereof, and shall permit them to be measured, on Penalty of 40s.
 " Boatmaster or Owners to be answerable for Damages done by the Crew. Proper Places to be made for
 " Boats to turn or lie in. Penalty on Vessels lying so as to obstruct the Navigation. Vessels sunk in the
 " Canal, to be weighed. Persons floating Timber, or overloading Vessels, &c. to forfeit 5*l.* Penalty
 " on Persons throwing Ballast, &c. into the Canal. Regulation for Vessels passing the Locks. Offenders
 " to forfeit 40s. each. Canal not to be under the Power of Commissioners of Sewers. If annual
 " Rents, &c. are not paid within 21 Days after due, Commissioners may appoint a Person to receive the
 " Rates, and pay the same; or otherwise Parties may distrain the Goods of the Company upon the Ca-
 " nal, Wharfs, &c. Reservation of Rights of Lords of Manors, &c. in relation to Mines, Minerals,
 " and Quarries; and also in relation to the exclusive Right of Fishery. No Prejudice to be done to Canal,
 " Towing-paths, &c. by fishing; and Company not to be accountable for Fish destroyed, &c. Persons
 " on Board having Nets, &c. not being qualified, to forfeit 5*l.* Masters of Vessels permitting the same,
 " to forfeit 5*l.* When Commissioners die, or refuse to act, new ones to be chosen. Quarter Sessions,
 " in certain Cases, impowered to nominate new Commissioners. Commissioners not to act where in-
 " terested. Their Qualification. Penalty on acting if not qualified. Commissioners to give 14 Days
 " Notice of their Meetings. Commissioners not to act till they have taken an Oath. Commissioners who
 " are Justices may act as such. No Commissioner to act as such while he possesses any Place of Profit,
 " &c. How general Meetings of Commissioners are to be held. Duty of Commissioners when assem-
 " bled. Special Meetings may be held for ascertaining Damages. All Meetings to be held within
 " 2 Miles of the Canal. If Company neglect to make the Navigation for 10 Years, or disuse it for
 " 5 Years, Lands to be conveyed to their former Owners, &c. If Company refuse to convey them, on
 " Payment or Tender of Consideration-Money, then to revert to and be vested in their former Owners, &c.
 " If Subscribers neglect to pay Subscriptions, Company may sue for the same. Expences of this Act how
 " to be paid. Penalties and Forfeitures how to be recovered and applied. Writings to be without Stamps.
 " Proceedings not to be quashed for Want of Form, &c. Distress not to be deemed unlawful for Want
 " of Form, &c. Persons aggrieved may appeal to the Quarter Sessions."

A N
I N D E X
T O

VOLUME the TWELFTH.

From 14 GEORGII III. to 16 GEORGH III. both inclusive.

A.

Aberney. See **Corn**, 3.

America. See **Plantations**,

Annuities.

1. **F**OR redeeming one million of the Capital Stocks of three *per cent.* Annuities, &c. 14 *Geo.* 3. c. 76.
2. For redeeming another million ditto, &c. 15 *Geo.* 3. c. 41.
3. Annuities at three *per cent.* on a Lottery, 16 *Geo.* 3. c. 34. § 20.

Appropriation of Supplies.

- 14 *Geo.* 3. c. 85. 15 *Geo.* 3. c. 42. 16 *Geo.* 3. c. 49.

Army. See **Soldiers.**

Artillery Ground, Old. See **Pool**, 2.

Ayr, Bank of.

For redeeming Annuities, granted by the Company of the Bank of *Ayr*, in *Scotland*, 14 *Geo.* 3. c. 21.

B.

Bank of Ayr. See **Ayr**.

Bank of Scotland. See **Scotland**, 3.

Bankrupts.

1. Bankrupts who have conformed to all the Laws relating to them, but who cannot obtain their Discharge, may petition the Court of Chancery, 14 *Geo.* 3. c. 77. § 59. 16 *Geo.* 3. c. 38. § 69.
2. The Statute 5 *Geo.* 2. c. 30. further continued, 16 *Geo.* 3. c. 54.

Bedford Level.

The Commissioners under the 27 *Geo.* 2. c. 19. enabled to charge farther Taxes on the North Level, &c. 15 *Geo.* 3. c. 12.

Bills of Exchange, and Promissory Notes.

No Promissory Notes or Inland Bills of Exchange to be negotiated under 20*s.* Value, 15 *Geo.* 3. c. 51.

Books.

1. The Importation of Books reprinted abroad, prohibited for a further Time, 14 *Geo.* 3. c. 86. § 9.
2. Copy Right in Perpetuity, secured to the Universities, &c. of *England* and *Scotland*, of Books given or bequeathed to them, 15 *Geo.* 3. c. 53. § 1.
3. Universities, &c. may sell their Copies, 15 *Geo.* 3. c. 53. § 3.
4. Entries in the Register of the Company of Stationers necessary for the Security of their Copies, 15 *Geo.* 3. c. 53. § 4.

Boston in Lincolnshire. See **Pilots, Paving**, 15.

Boston in New England. See **Plantations**.

Becknock. See **Paving**, 18.

Bridges.

1. For building a Bridge across the River *Air*, at *Carlton* in the West Riding of *Yorkshire*, 14 *Geo.* 3. c. 63.
2. For building a Bridge, &c. across the *Severn*, from *Bentball* to *Madeley Wood*, in the County of *Salop*, 16 *Geo.* 3. c. 17.

Bristol. See **Harbours**, 3.

Buckingham House.

Settled on *Queen Charlotte* for Life, in lieu of *Somerset House*, 15 *Geo.* 3. c. 33.

Bugles.

Further Time allowed for the Exportation of, or Payment of the

Buildings.

the Duties on Bugles, upon Importation, 16 Geo. 3. c. 48. § 1.

Buildings.

- Buildings in *London, Westminster*, and within the Bills of Mortality, divided into seven Classes, and subjected to certain Rules respectively, 14 Geo. 3. c. 78. § 1, &c.
- Detached Offices to be rated and classed independently of the Building to which they appertain, 14 Geo. 3. c. 78. § 22.
- How long old found Party Walls may remain, 14 Geo. 3. c. 78. § 23.
- Regulations for new Party Walls, 14 Geo. 3. c. 78. § 26, 27, 28, 31, 42.
- Regulations for Chimneys in Party Walls, 14 Geo. 3. c. 78. § 29, 30.
- How far Party Walls in Inns of Court are subject to this Act, 14 Geo. 3. c. 78. § 32.
- How different Owners are to contribute in building Party Walls, 14 Geo. 3. c. 78. § 33.
- Regulations for the Openings of Chimnies, Hearths, Ovens, and Coppers, 14 Geo. 3. c. 78. § 45.
- Materials of external Walls, 14 Geo. 3. c. 78. § 46.
- Sash Frames and Story Posts, how to be fixed, 14 Geo. 3. c. 78. § 46.
- Flats, Roofs, Gutters, &c. how to be covered, 14 Geo. 3. c. 78. § 47.
- Materials of external Decorations, 14 Geo. 3. c. 78. § 48.
- Bow Windows, Shop Windows, and Projections, 14 Geo. 3. c. 78. § 49.
- Communications through Party Walls, 14 Geo. 3. c. 78. § 53.
- Warehouses, 14 Geo. 3. c. 78. § 53. Stables, *idem*, § 64.
- Court of Aldermen of *London* to appoint Surveyors in that City; the Quarter Sessions in other Places, 14 Geo. 3. c. 78. § 62.
- Former Statutes regulating Buildings and Party Walls, repealed, 14 Geo. 3. c. 78. § 107.
For other Matters, see Five.

C.

Canals. See Rivers.

Capias.

May issue against any Person prosecuted for smuggling, 14 Geo. 3. c. 86. § 5.

Cardiff. See Paving, 1.

Cards and Dice.

- Additional Duty of 6 *d.* laid on every Pack of Cards, and 2 *s.* 6 *d.* on every Pair of Dice, made for Sale, 16 Geo. 3. c. 34. § 6.
- Penalty of selling Packs of Cards, after the Wrappers are broke open, 16 Geo. 3. c. 34. § 17.

Cattle.

For preventing Mischiefs in driving Cattle within the Cities of *London* and *Westminster*, and Bills of Mortality, 14 Geo. 3. c. 87.

Cement.

The Property of a Cement, the Invention of *John Liardet*, vested in him, his Executors, &c. for a Term of Years, 16 Geo. 3. c. 29.

Cards and Dice.

Copper.

Chancery.

- For rebuilding the Six Clerks Office, and erecting Offices for the Register and Accountant General, and for preserving the Records, &c. 14 Geo. 3. c. 43.
- For vesting Part of the Garden belonging to *Lincoln's Inn* in the Accountant General of the Court of Chancery and his Successors, for the Purpose of erecting the above-mentioned Offices, 15 Geo. 3. c. 22.
- For applying the Funds for rebuilding the Offices of the Six Clerks in Chancery, to building Offices for them in the Garden of *Lincoln's Inn*, 15 Geo. 3. c. 56.

Chatham. See Paving, 20.

Chester. See Harbours, 4.

Churches.

- For rebuilding the Parish Church of *Clapham*, and for vesting a Piece of Waste Ground in Trustees for that Purpose, 14 Geo. 3. c. 12.
- For rebuilding the Parish Church of *Lewisham* in *Kent*, 14 Geo. 3. c. 93.
- For establishing a new Church at *Toxteth Park*, near *Liverpool*, 14 Geo. 3. c. 94.
- For rebuilding *Battersea* Church in *Surrey*, 14 Geo. 3. c. 95.
- For taking down the Church of *All Saints* in the Town of *Fulbourne* in *Cambridgeshire*, and for the better Repair of the Church of *St. Vigors* in the said Town, 15 Geo. 3. c. 49.
- For rebuilding the Parish Church of *Tardebigg*, in the Counties of *Worcester* and *Warwick*, 16 Geo. 3. c. 22.

Clapham. See Churches, 1.

Clerkenwell. See Paving, 3. Pool, 8.

Coaches.

- An additional Duty of 20 *s.* per Annum laid on all Coaches &c. with four Wheels, Hackney-coaches excepted, 16 Geo. 3. c. 34. § 1.
- A Duty of 5 *l.* per Annum laid on all Stage-coaches, &c. 16 Geo. 3. c. 34. § 2.

Coals.

Waggons and other Carriages used in loading Coals on board Ships, to be measured at other Ports, as they are at the Ports of *Newcastle* and *Sunderland*, 15 Geo. 3. c. 27.

Cochineal.

The Laws for the free Importation of Cochineal and Indico, further continued, 14 Geo. 3. c. 86. § 8.

Coffee.

The Stat. 5 Geo. 2. c. 24. for the Encouragement of Plantation Coffee, which was continued by subsequent Acts, still further continued, 14 Geo. 3. c. 86. § 7.

Coin and Coinage. See Money.

Colonies. See Plantations.

Copper.

The Drawback on the Duty of imported Copper Bars, on Exportation, further continued, 14 Geo. 3. c. 86. § 1.

Cordage.

The Bounty allowed on the Exportation of *British* made Cordage, by 6 *Geo.* 3. c. 45. further continued, 14 *Geo.* 3. c. 86. § 10.

Corn and Grain.

1. A limited Quantity of Corn allowed to be exported annually from the Port of *London* to the Sugar Colonies, 14 *Geo.* 3. c. 5. § 1.
2. Such exported Corn to receive the Bounty when intitled to it, 14 *Geo.* 3. c. 5. § 3.
3. The Allowance of exporting Corn, &c. from *Southampton* to *Guernsey* and *Jersey*, by the Act 13 *Geo.* 3. extended to the Island of *Alderney*, 14 *Geo.* 3. c. 5. § 4.
4. A limited Quantity of Biscuit and Pease allowed to be exported to *Newfoundland*, for the Benefit of the Fishery, 14 *Geo.* 3. c. 11.
5. A limited Quantity of Wheat, Oats, &c. allowed to be exported to *Hudson's Bay*, for the Benefit of the *Hudson's Bay* Company, 14 *Geo.* 3. c. 26.
6. Prices of Corn and Grain exported, how to be regulated, 14 *Geo.* 3. c. 64.
7. *Indian* Corn and Maize permitted to be imported under certain Restrictions, 15 *Geo.* 3. c. 1.
8. The 13 *Geo.* 3. c. 43. extended to the Port of *Preston*, with respect to the Importation of Wheat, Rye, &c. 16 *Geo.* 3. c. 42.

Cottages.

The Statute 31 *Elix.* c. 7. repealed, 15 *Geo.* 3. c. 32.

Cottons.

1. No higher Duty than Three-pence per Yard to be imposed on *British* manufactured printed Cottons, 14 *Geo.* 3. c. 72. § 1.
2. All Persons free to wear such home-made printed Cottons, 14 *Geo.* 3. c. 72. § 2.
3. Marks by which home-made printed Cottons are to be distinguished, 14 *Geo.* 3. c. 72. § 3.
4. Proof of Cottons being manufactured in *Britain*, to be made by the Owner, 14 *Geo.* 3. c. 72. § 14.
For other Matters, see Felonies without Clergy. Title Forgeries.

Court of Conscience. See Debts.

Customs.

1. Former Laws against the running of uncustomed Goods, further continued, 14 *Geo.* 3. c. 86. § 2. 4. 14.
2. Bonds relating to the Revenue, taken by Officers, on which no Prosecution is commenced within five Years from the Date, declared void, 16 *Geo.* 3. c. 48. § 2.

Cyder. See Malt.

D.

Debts.

For the Recovery of small Debts within the Hundred of *Elloe* in the County of *Lincoln*, 15 *Geo.* 3. c. 64.

Deer.

1. Penalty on hunting, wounding, or shooting Fallow Deer, without being duly authorized, 16 *Geo.* 3. c. 30. § 1.
2. Suspected Persons, having Fallow Deer, or any Parts thereof,

- in their Possession, how to be proceeded against, 16 *Geo.* 3. c. 30. § 6.
3. Justices how to proceed on Information, 16 *Geo.* 3. c. 30. § 10.
 4. Keepers of Forests, or Parks, may apprehend Persons hunting, &c. 16 *Geo.* 3. c. 30. § 15.
 5. Parts of former Statutes repealed, 16 *Geo.* 3. c. 30. § 27.

Distillers.

The Statute 12 *Geo.* 3. c. 46. so far as relates to Distillers of Low Wines and Spirits from Corn and Grain, extended to Distillers of Low Wines and Spirits from all other Materials, 14 *Geo.* 3. c. 73.

Dorchester. See Paving, 17.

Drugs.

1. The Duty on Gum Senega altered, 14 *Geo.* 3. c. 10. § 1.
2. No Duty to be charged on Gum Senega exported from *Great Britain* to *Ireland* by Licence, 14 *Geo.* 3. c. 10. § 3.

Durham.

Rewards for apprehending Highwaymen, &c. in the County Palatine of *Durham*, to be paid by the Commissioners of the Treasury, 14 *Geo.* 3. c. 46.

E.

Earthen Ware.

1. All sorts of painted Earthen Ware, the Manufacture of *Europe*, Galley Tiles excepted, may be imported and sold in this Kingdom, 15 *Geo.* 3. c. 37. § 1.
2. Subject to a Duty *ad valorem*, instead of the former Duty, 15 *Geo.* 3. c. 37. § 2.

East India Company.

1. Farther Time allowed to the *East India* Company for exposing to Sale the Tea remaining in their Warehouses, 14 *Geo.* 3. c. 34.
2. Shall export *British* Goods to a certain Amount annually, to their Settlements in *India*, for three Years, 15 *Geo.* 3. c. 44. § 1.
3. Excess in one Year to be allowed in the succeeding one, 15 *Geo.* 3. c. 44. § 2.
4. *East India* Company allowed to export a limited Quantity of Corn to *Saint Helena*, *Bencoolen*, &c. 16 *Geo.* 3. c. 37.
5. Further Time allowed to the *East India* Company for the Exportation of certain Goods, 16 *Geo.* 3. c. 51.

Exchequer.

1. The Commissioners, or Lord High Treasurer for the Time being, empowered to compound the Debts due to the King, and to exonerate the Estates of the late *Charles Mason*, Esq; 14 *Geo.* 3. c. 35.
2. Loan for 1,250,000 *l.* for the Year 1774, 14 *Geo.* 3. c. 69.
3. The Commissioners, or Lord High Treasurer, empowered to compound the Debts due to the King from *William Williams*, deceased, 15 *Geo.* 3. c. 19.
4. Loan for 1,250,000 *l.* for the Year 1775, 15 *Geo.* 3. c. 38.
5. Loan for 1,500,000 *l.* for the Year 1776, 16 *Geo.* 3. c. 35.
6. Loan for 1,000,000 *l.* for specified Purposes, 16 *Geo.* 3. c. 45.

F.

Feathers, and Feather Beds.

The Duties on Feathers and Feather Beds, altered, 16 Geo. 3. c. 48. § 3.

Felonies without Clergy.

Forgeries. { Of the Stamps on *British* manufactured printed Cottons, 14 Geo. 3. c. 72. § 8.
Selling such Cottons, 14 Geo. 3. c. 72. § 10.
Of Stamps on Parchment, Cards, Dice, or Newspapers, 16 Geo. 3. c. 34. § 15.

Felons. See **Transportation.**

Fens. See **Bedford Level, and Harthes.**

Fire. See **Scotland, 2.**

Fire.

1. Restrictions in the drawing and boiling of Turpentine, 14 Geo. 3. c. 78. § 72.
2. Directions for the proper keeping of Engines, and Ladders, 14 Geo. 3. c. 78. § 74, 75.
3. Fees to be paid to Turncocks and Engine-keepers, 14 Geo. 3. c. 78. § 76.
4. Rewards, in Cases of Alarms of Fire in Chimnies, to be repaid by Occupiers, 14 Geo. 3. c. 78. § 78.
5. Penalty on Servants firing Houses by Carelessness, 14 Geo. 3. c. 78. § 84.
6. Repeal of former Statutes for preventing Mischief by Fire, 14 Geo. 3. c. 78. § 101.

For other Matters, see Buildings, per tot.

Fisheries.

1. Bounties to be given to Vessels fitted out from *Great Britain* or *Ireland* for the *Newfoundland* Fishery, 15 Geo. 3. c. 31. § 1.
2. May cure and dry Fish in any Part of *Newfoundland* not occupied, 15 Geo. 3. c. 31. § 2.
3. Bounties allowed for the *Whale* Fishery, 15 Geo. 3. c. 31. § 3.
4. What Persons are intitled to the Privilege of drying their Fish on the Shores of *Newfoundland*, 15 Geo. 3. c. 31. § 4.
5. Regulations for Persons employing Seamen or Fishermen at *Newfoundland*, 15 Geo. 3. c. 31. § 13.
6. All Fish and Oil liable to the Payment of Wages, 15 Geo. 3. c. 31. § 16.
7. Disputes and Offences to be determined by the Court of Session, or Vice-court of Admiralty at *Newfoundland*, 15 Geo. 3. c. 31. § 18.
8. The Bounties granted for the *Greenland* and *Whale* Fisheries by 11 Geo. 3. c. 38. extended to *Ireland*, 15 Geo. 3. c. 31. § 21.
9. To amend and render more effectual the Stat. 11 Geo. 3. c. 27. for improving the Fishery in the River *Tweed*, 15 Geo. 3. c. 46.
10. Regulations for the Encouragement of the *Pilchard* Fishery in the Bay of *St. Ives, Cornwall*, 16 Geo. 3. c. 36.
11. Further Encouragement given to the *Whale* Fishery carried on from *Great Britain* and *Ireland*, 16 Geo. 3. c. 47. § 1, 2.
For other Matters, see Newfoundland.

Fitzmaurice, Ulysses.

For vesting his Plantation and Estate in Trustees, for the Payment of his Debts, 14 Geo. 3. c. 40.

Forfeited Estates.

The Act 25 Geo. 2. c. 41. for annexing forfeited Estates in *Scotland* in the Crown, &c. altered and amended, 14 Geo. 3. c. 65.

Frazer. See **Levat.**

Funds.

1. The Sum of 2,080,696*l.* 12*s.* 8½*d.* granted out of the Sinking Fund for the Service of the Year 1774, 14 Geo. 3. c. 85.
2. The Sum of 1,915,552*l.* 16*s.* 11½*d.* granted out of the Sinking Fund, for the Service of the Year 1775, 15 Geo. 3. c. 48.
For other Matters, see Annuities.

G.

Gaols and Gaolers.

For taking down the Common Gaol of the County of *Hertford*, and building a new Gaol, 15 Geo. 3. c. 25.

Greenwich Hospital.

1. The Commissioners and Governors of *Greenwich* Hospital incorporated, 16 Geo. 3. c. 24. § 1.
2. Barony, Manors, Lands, &c. how to be held by the Corporation, 16 Geo. 3. c. 24. § 3.
3. All Stock Annuities, Money, &c. invested in Trust for the Hospital, to be transferred to the Corporation, 16 Geo. 3. c. 24. § 5.
4. This Act not to invalidate Leases, &c. 16 Geo. 3. c. 24. § 8.

Grocery Wares.

The Duties payable upon the Importation of great Raisins reduced, 14 Geo. 3. c. 74.

Grosvenor Square. See **Paving, 6.**

Gum Senega. See **Drugs.**

H.

Harbours.

1. For making public Quays or Wharfs, and other Works, for the Accommodation of Vessels in the Port of *Kingston upon Hull*, 14 Geo. 3. c. 56.
2. For completing and maintaining the Pier at the Town of *Mewagiffey* in *Cornwall*, 15 Geo. 3. c. 62.
3. To remove the Danger of Fire from among the Ships in the Port of *Bristol*, and for other Regulations in the said Harbour, 16 Geo. 3. c. 33.
4. For erecting Lighthouses in or near the Port of *Chester*, and for other Purposes, for the Security of Vessels going in and out of the said Port, 16 Geo. 3. c. 61.
For other Matters, see Scotland, 9.

Hertford. See **Paving, 5.**

Hertford. See **Gaols.**

Highwaymen. See **Durham.**

Highways. See **Scotland, 2.**

Hops.

1. Hop Bags to be weighed and marked by Officers of Excise, 14 Geo. 3. c. 68. § 1.
2. Penalty of counterfeiting such Marks, 14 Geo. 3. c. 68. § 4.

Hudson's Bay.

1. A limited Quantity of Wheat Meal, Oats, Pease, &c. allowed to be exported to *Hudson's Bay*, for the Use of the Company and their Servants, 14 Geo. 3. c. 26. § 1.
2. The Bounty to be allowed on such Grain, when intitled, 14 Geo. 3. c. 26. § 3.

Huntingdon, County of. See **POOR**, 9.

I.

Iekyll, Sir Joseph.

An Act for the Relief of his Legatees, 14 Geo. 3. c. 89.

Inclosures.

For dividing and inclosing the Open Fields and Waste Grounds in the Parish of *Yenny* in the County of *Lincoln*, and for draining and improving Part of the said Parish, 14 Geo. 3. c. 33.

Innkeepers.

The Innkeepers and Victuallers in the Hundred of *Godley* in *Surrey*, indemnified against certain Penalties, 14 Geo. 3. c. 60.

Insolvent Debtors.

Relieved, 14 Geo. 3. c. 77. 16 Geo. 3. c. 38.

Insurances.

No Insurances to be made on Lives or Events, in which the Parties insuring are not interested, 14 Geo. 3. c. 48.

Ireland.

1. The Importation of salted Beef, Pork, Bacon, and Butter, from *Ireland*, and from the *British Dominions in America*, allowed for a further Time, 14 Geo. 3. c. 9. So much as respects *Ireland* made perpetual, 16 Geo. 3. c. 8.
2. The 14 Geo. 3. c. 9. further continued, and extended to Potatoes and all kinds of Pulse, 15 Geo. 3. c. 7.
3. The Bounties granted for the *Greenland* and *Whale Fisheries* by 11 Geo. 3. c. 38. extended to *Ireland*, 15 Geo. 3. c. 31. § 21.
4. Rape Cakes may be imported from *Ireland* Duty free, 15 Geo. 3. c. 34. § 3.
5. May export Cloathing, &c. for the Use of Troops serving abroad on *Irish Pay*, 15 Geo. 3. c. 45. § 1.
6. Additional Bounty granted on Flax Seed imported into *Ireland*, 15 Geo. 3. c. 45. § 3. Extended to all Flax Seed the Growth of the *United Provinces* and the *Austrian Netherlands*, 16 Geo. 3. c. 41.
For other Matters, see **Drugs**. 2. **Mortgages**.

K.

Kinghorn. See **Scotland**, 1.

Kingston upon Hull. See **Harbours**, 1.

L.

Land Tax.

1. Land Tax granted for the Year 1774, 14 Geo. 3. c. 1.
2. Commissioners appointed, 14 Geo. 3. c. 17.
3. Land Tax for the Year 1775, 15 Geo. 3. c. 3.
4. Commissioners appointed, 15 Geo. 3. c. 26. Rectified, 16 Geo. 3. c. 14.
5. Land Tax for the Year 1776, 16 Geo. 3. c. 4.

Lincoln's Inn. See **Chancery**, 2.

Longitude.

1. All former Acts concerning the Longitude at Sea, repealed, 14 Geo. 3. c. 66. § 1.
2. New Rewards offered for further Discoveries, 14 Geo. 3. c. 66. § 2.
3. Proposals how to be received, 14 Geo. 3. c. 66. § 5.

Lobat.

His Majesty enabled to grant the Lands and Estate of the late *Simon Lord Lobat*, to Major-General *Frazer*, on certain Terms and Conditions, 14 Geo. 3. c. 22.

Lunatics. See **Madhouses**.

M.

Madhouses.

1. Private Madhouses to be licenced, 14 Geo. 3. c. 49. § 1. 22.
2. Who are to be Commissioners for licencing Madhouses in *London*, *Westminster*, and County of *Middlesex*, 14 Geo. 3. c. 49. § 2.
3. Such Licence to be annual, and only for one House, 14 Geo. 3. c. 49. § 9.
4. Licenced Madhouses to be inspected by the Commissioners, 14 Geo. 3. c. 49. § 14.
5. Notice to be given when Patients are received, 14 Geo. 3. c. 49. § 21.
6. Licences to be granted in all Places beyond the County of *Middlesex*, by Justices at Quarter Sessions, 14 Geo. 3. c. 49. § 23.
7. Such licenced Madhouses subject to Visitation, 14 Geo. 3. c. 49. § 24.
8. This Act not to extend to public Hospitals, 14 Geo. 3. c. 49. § 30.

Malt.

1. The Duties on Malt, Mum, Cyder, and Perry, continued for the Service of the Year 1774, 14 Geo. 3. c. 2.
2. Continued for the Service of the Year 1775, 15 Geo. 3. c. 2.
3. And for the Year 1776, 16 Geo. 3. c. 1.

Manchester: See **Playhouses**, 1. **Paiving**, 23.

Manufactures.

1. Penalty of exporting Utensils employed in the Cotton, Linens, Woollen, and Silk Manufactures, 14 Geo. 3. c. 71.
2. Manufacturers of Wool or Linen to receive for all Soap used by them, the Drawback on Soap made in this Kingdom, 14 Geo. 3. c. 73. § 15.
3. Repeal

3. Repeal of so much of 14 Geo. 3. c. 71. as relates to Wool Cards, 15 Geo. 3. c. 5.

Barthes.

1. For amending and rendering more effectual the Act 30 Geo. 2. c. 36. for draining certain Fen Lands in the Townships of *March* and *Wimblington*, and in the Parish of *Upwell*, in the *Ile of Ely*, 14 Geo. 3. c. 15.
2. For amending and rendering more effectual several former Acts of Parliament, for draining the Lands called *Deeping Fens* in the County of *Lincoln*, 14 Geo. 3. c. 23.
3. For draining certain Fen Lands in the Parishes of *Ramsay*, *Bury*, *Wistow*, *Warboys*, *Somerham*, *Colne*, and *Pitby with Fenton*, in *Huntingdonshire*; and in the Parishes of *Chatteris* and *Doddington*, in the *Ile of Ely*, and County of *Cambridge*, 15 Geo. 3. c. 65.
4. For draining certain Lands in the Parishes of *Wisbech St. Peter's* and *Wisbech St. Mary's*, in the *Ile of Ely* and County of *Cambridge*, 15 Geo. 3. c. 66.
5. The Commissioners of Sewers in the Eastern Parts of the County of *Kent* enabled to drain and improve the *General Vallies*, 16 Geo. 3. c. 62.
6. For draining and embanking certain Fen Lands called the *Parts* and *Alderlots*, in *Huntingdonshire*, 16 Geo. 3. c. 64.
For other Matters, see Bedford Level, and Inclosures.

Bevagisley. See Harbours, 2.

Militia.

1. For defraying the Charge of paying and cloathing the Militia, 14 Geo. 3. c. 18. 15 Geo. 3. c. 8. 16 Geo. 3. c. 19.
2. May be called out and embodied in Cases of Rebellion, 16 Geo. 3. c. 3.

Money.

1. The Importation of light Silver Coin into *Great Britain* or *Ireland*, prohibited, 14 Geo. 3. c. 42. § 1. 16 Geo. 3. c. 64.
2. The Tender of Payments in Silver, according to its nominal Value, limited, 14 Geo. 3. c. 42. § 2. 16 Geo. 3. c. 64.
3. Diminished Gold Coin called in, 14 Geo. 3. c. 70.
4. For regulating and ascertaining the Weights used for Gold and Silver Coin, 14 Geo. 3. c. 92.
5. Fees allowed for stamping the Weights, 15 Geo. 3. c. 30.
6. A Sum allowed out of the Coinage Duty for prosecuting Offenders against the Laws relating to the Coin, 16 Geo. 3. c. 46.

Mortgages.

1. Mortgages, &c. of Lands in *Ireland* or the Colonies, executed in *Britain*, as valid as if executed in those Places respectively, without incurring the Penalties of 12 Ann. st. 2. c. 16, 14 Geo. 3. c. 79. § 1. Transfers of such Mortgages also, *idem*, § 2.
2. Persons borrowing Money on such Mortgages, exceeding the Value of the Lands, to forfeit treble the Sum borrowed, 14 Geo. 3. c. 79. § 4.
3. Such Mortgages to be registered in the Colony, &c. where the Lands lie, 14 Geo. 3. c. 79. § 5.

Mum. See Salt.

Mutiny. See Soldiers.

N.

Naturalization.

Clause to be added to all future Bills of Naturalization, 14 Geo. 3. c. 84.

Newfoundland.

1. A limited Quantity of Biscuit and Pease permitted to be exported to the Island of *Newfoundland*, for the Benefit of the Fishery, 14 Geo. 3. c. 11.
2. The Bounty to be allowed upon, when in Force, 14 Geo. 3. c. 11. § 3.
3. What Persons are intitled to the Privilege of drying their Fish there, 15 Geo. 3. c. 31. § 4.
4. Provisions, and all Necessaries for Fishing, may be exported from *Ireland* and the *Ile of Man* to *Newfoundland*, being *British* or *Irish* Produce and Manufacture, 15 Geo. 3. c. 31. § 5.
5. Duty imposed on Spirituous Liquors imported there from the Colonies, 15 Geo. 3. c. 31. § 20.
6. Regulation of the Fees to be taken by Officers of the Customs in *Newfoundland*, 16 Geo. 3. c. 47. § 3.
For other Matters, see Fisheries.

North Passage.

1. Reward offered for the Discovery of a North Passage between the *Atlantic* and *Pacific* Oceans, 16 Geo. 3. c. 6. § 1.
2. Reward for approaching within one Degree of the North Pole, 16 Geo. 3. c. 6. § 2.

O.

Oaths.

1. Further Time allowed to Persons who have omitted to qualify themselves for Offices, 14 Geo. 3. c. 47. 15 Geo. 3. c. 17. 16 Geo. 3. c. 50.
2. Justices impowered to administer Oaths for levying Penalties and making Distress, in pursuance of Acts of Parliament, 15 Geo. 3. c. 39.

Oil.

The Duties on Rape-seed, or other Seed used for making Oil reduced, 15 Geo. 3. c. 34.

P.

Papists.

Further Time granted for the Inrolment of Deeds and Wills made by Papists, 14 Geo. 3. c. 37.

Parliament.

1. The Acts 10 Geo. 3. c. 16. and 11 Geo. 3. c. 42. for regulating the Trials of controverted Elections, made perpetual, 14 Geo. 3. c. 15.
2. Certain former Acts relating to the Residence of Persons to be elected Members of Parliament, &c. repealed, 14 Geo. 3. c. 58.
3. Speaker to issue his Warrant during Recess, for electing Members in the Room of those who become Peers, in like manner as of Members deceased, 15 Geo. 3. c. 36.
4. May be assembled in fourteen Days in Cases of Rebellion, 16 Geo. 3. c. 3. § 2.

Paving, Lighting, Cleansing, and Watching.

1. For paving, &c. the Town of *Cardiff*, in *Glamorganshire*, 14 Geo. 3. c. 7.

2. To

Paving.

2. To explain two Acts, the 10 and 12 Geo. 3. for paving, &c. the Town of *Plymouth*, 14 Geo. 3. c. 8.
3. For paving, &c. the Streets of *St. James's, Clerkenwell*, 14 Geo. 3. c. 24.
4. For paving, &c. the Streets of the *Old Artillery Ground*, in the Liberty of the *Tower of London*, 14 Geo. 3. c. 30.
5. For paving, &c. the City and Suburbs of *Hersford*, 14 Geo. 3. c. 38.
6. For paving, &c. *Grosvenor Square*, and for other Purposes, 14 Geo. 3. c. 52.
7. For making commodious Ways and Passages, and enlarging the Burial-ground, in the Parish of *St. Stephen, Bristol*, 14 Geo. 3. c. 55.
8. For widening Streets, opening Carriage-ways, &c. in *Southwark*, 14 Geo. 3. c. 75.
9. For better regulating the Nightly Watch in the City and Liberties of *Westminster*, 14 Geo. 3. c. 90.
10. For lighting and watching the Hamlet of *Highbate*, in the County of *Middlesex*, 15 Geo. 3. c. 43.
11. For paving, &c. *New Gravel-lane*, and other Streets in the Parish of *St. Paul, Shabwell*, not comprised in the Act 11 Geo. 3. c. 23. for paving *Rosemary-lane*, &c. 15 Geo. 3. c. 54.
12. For watering *Piccadilly* from the End of *Berkley-street* to *Hyde-park Corner*, 15 Geo. 3. c. 57.
13. For lighting, watching, &c. the Streets, Lanes, and Roads, in the Parish of *Hampstead* in the County of *Middlesex*, 15 Geo. 3. c. 58.
14. For cleaning, lighting, watching, &c. the Parish of *St. George* in the County of *Middlesex*, 16 Geo. 3. c. 15.
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17. For paving, &c. the Streets in the Borough of *Dorchester*, and preventing future Buildings from being thatched, 16 Geo. 3. c. 27.
18. For paving, &c. the Town of *Brecknock*, and supplying it with Water, 16 Geo. 3. c. 56.
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